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Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

Fifth periodic reports of States parties

Argentina*

* For the initial report submitted by the Government of Argentina, see CEDAW/C/5/Add.39, considered by the Committee at its seventh session. For the second periodic report, see CEDAW/C/ARG/2, CEDAW/C/ARG/2/Add.1 and CEDAW/C/ARG/2/Add.2, considered by the Committee at its seventeenth session. For the third periodic report, see CEDAW/C/ARG/3, considered by the Committee at its seventeenth session. For the fourth periodic report, see CEDAW/C/ARG/4.

The annexes may be consulted in the Committee secretariat.

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National mechanism for institutionalizing the gender approach: The National Women's Council

Introduction

This fifth report of the Republic of Argentina covers the period from 4 February 2000 to 27 December 2001.

The national mechanism for the advancement of women in Argentina was created in 1983 in the shape of the Directorate for Women, which was located in the Secretariat for Human Development and the Family of the Ministry of Health and Social Welfare. In 1987 it became the Under-Secretariat for Women and in 1992 the current National Women's Council (CNM), which reports directly to the Office of the President (Decrees 1426/92 and 718/92).

In 1999 the CNM was transferred to the Executive Office of the Cabinet of Ministers (Decrees 943/99 and 2518/99). This move had a major impact owing to the importance which the 1994 Constitution accords to the Executive Office. Firstly, it created the Executive Office as a coordinating body with responsibility for the country's general administration and for coordination of activities among ministries (art. 100). This means that since the CNM is part of and reports directly to the Government's coordination body it now has more room for carrying out cross-cutting measures with the various governmental departments.

The CNM budget for 2000 was 1.8 million pesos; for 2001 it was 1,880,060 pesos.

An initial economic evaluation of these institutional changes would suggest that the resources allocated are insufficient, but it must be pointed out that, since the "cross-cutting" approach is regarded as essential to the attainment of the desired objectives, the nominal amount allocated should be adjusted upwards to take account of the contributions of the various governmental agencies (both national and provincial) and of the other social bodies with which the CNM works in its efforts to produce results.

Further work is being done on this evaluation in order to determine the true scale of the costs attributable to the results, which is obviously greater than it would appear.

The CNM has been pursuing the following goals since 2000:

- To justify to society the importance of gender equity for the consolidation of democracy;
- To promote public policies with a gender perspective which help to overcome the various forms of discrimination against women and encourage appropriate social conditions for guaranteeing women the effective exercise of their rights;
- To strengthen local and provincial women's offices and encourage joint measures based on the Federal Programme for Women. There are 21 provincial offices and 240 local ones for the whole country.

The strategies established for this work may be summed up as follows:

- Promotion and monitoring of the effective implementation of the international conventions, whether or not already incorporated in the 1994 Constitution;
- Dialogue with civil society;
- Cross-cutting in public policies;
- Strengthening of the links with the Judiciary and the Legislature (at both national and provincial levels);
- Federalism.

These strategies include the following thematic or intervention areas:

- *Health*: to promote women's right to comprehensive health care (reproductive, mental and occupational health);
- *Education*: to analyse stereotyped and discriminatory attitudes and behaviour in schools and other educational institutions;
- *Justice*: to guarantee women access to justice and coordinate measures to ensure that public bodies discharge their responsibility to eradicate violence against women;
- *Human rights*: to ensure the widespread application and promotion of the fundamental human rights, guarantee access to information and encourage women's full and equal participation in the country's political, social, economic and cultural life;
- *Work*: To incorporate the gender perspective in labour policy at the national and provincial levels and take action to regulate domestic employment.

International agreements and conferences

Where the first of the strategies is concerned, the CNM is the State agency responsible for implementation of the International Convention on the Elimination of All Forms of Discrimination against Women, which was incorporated in the Constitution by the 1994 reform. It is also responsible for promoting and monitoring the Inter-American Convention on the Punishment, Prevention and Eradication of Violence against Women (Convention of Belem do Para), which was ratified by the National Congress in Act No. 24.632/96.

Reference must also be made here to the other international instruments on the protection of women's fundamental human rights which enjoy constitutional status: the American Declaration of the Rights and Duties of Man, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, etc.

The fourth report described the advances secured by the 1994 reform of the Constitution.

It is important to point out and to underline in the present report that the 1994 reform was a fundamental watershed for women in terms of rights and civic action: it extended women's rights and safeguards and enshrined true equality of opportunities and treatment between men and women and the full enjoyment of the rights enunciated in articles 14 and 16 of the Constitution. Equality of opportunities

is established expressly in article 75, paragraph 23, which instructs the National Congress "to enact and promote positive measures and actions to ensure true equality of opportunities and treatment and the full enjoyment and exercise of the rights accorded in the Constitution and the international human rights treaties which are in force, especially with respect to children, women, old people and the disabled".

Attention must be drawn to the immediate gender-related impact of the reform of the Constitution, with respect both to the inclusion of a long list of social rights and to the incorporation of the international treaties, on the opening up of a new area of activity focusing on the specific ways of requiring the State to discharge the obligations assumed under these legal instruments. The constitutional rights and safeguards have created access to the following judicial remedies: the remedy of individual and collective *amparo*, the right to information, *habeas corpus*, and the confidentiality of journalists' sources of information. Moreover, the set of State obligations in respect of these rights is an extremely varied one.[1]

The Optional Protocol

The signature in February 2000 of the Optional Protocol to the Convention did no more than confirm Argentina's firm intention to safeguard women's rights by means of the international verification machinery.

The CNM played an active part in the ratification of the Protocol in the National Congress. It produced the draft decree, which is currently before the Senate following its approval by the Chamber of Deputies.

However, despite the clear position of the Government and the national deputies, which demonstrates the political will to ratify, as mentioned at the twenty-third special session of the General Assembly of the United Nations, this process is being held up in the Senate, where some senators clearly intend to delay the decree's final approval. The Congress is now engaged in the task of political persuasion to convince people of the need for this legal instrument; this effort is being led by a number of NGOs and women deputies.

The twenty-third special session of the General Assembly

At the twenty-third special session of the General Assembly on "Gender equality, development and peace for the twenty-first century: Beijing plus five" in

[1] The State has various means of delivering a right, and the holders of the right in question may take an active part in many of these processes. (i) Some rights entail the State's obligation to introduce regulatory machinery. In such cases the State is not necessarily required to transfer funds directly to the beneficiaries; what happens is that the State establishes the regulatory framework for the conduct of certain activities. (ii) The obligation requires that the regulations introduced by the State should constrain or limit the powers of private persons or impose obligations on them. In other words, it must be possible to impose the regulations on third persons and not just on the State itself. The regulation of the labour market is one example of this. (iii) The State must discharge its obligation by providing public services, be they specific or mixed. This entails the establishment of a public service, such as the health system, the system for the administration of justice, the administration of housing mortgages, etc. See in this connection Abramovich and Courtis (1997), Birgin (1997) and Pautassi (1998).

June 2000 the head of the Argentine delegation restated once again Argentina's position on the question of women:

> "The position of the Argentine Government, as consistently stated in international forums, is inspired by the values that are most precious to all human beings: life, freedom and dignity. The premises of our action in this respect include: protecting and defending human life from conception to its natural end; protecting the family as the nucleus of society; recognizing the rights and duties of parents with respect to the education of their children; and affirming the basic responsibility of the State to build a society that is ever more democratic, tolerant, humane and just.
>
> [...]
>
> We also wish to note that the commitment to guarantee the protection of women's human rights includes their sexual and reproductive rights, as is reflected in the policies implemented by our authorities in the form of measures to reduce maternal mortality, to prevent adolescent pregnancy and to protect the maternity and health of women, while ensuring their inalienable right to free and responsible choice regarding when and how many children they wish to have and respect for life and their personal beliefs. All of this is consistent with the values and premises that inspire the position of the Argentine Government.
>
> The National Women's Council, in coordination with all the authorities and responsible organizations at the national, provincial and municipal levels, has drawn up guidelines for the Government's action that go beyond the outdated concepts of "policies for women" and have made the subject of women an area of State concern. The National Council will have, in addition to the measures mentioned above, the following principal objectives: to guarantee the effective fulfilment of the international treaties on human rights incorporated in the Constitution; to formulate public policies, from a gender perspective, that contribute to overcoming the different forms of discrimination against women, and that promote proper social conditions to guarantee the effective exercise of their rights; to ensure full access for women to comprehensive health care; to intensify prevention, research and information programmes, and to take effective initiatives to deal with diseases that particularly threaten and affect them, such as AIDS, cancer and malnutrition; to prevent and eradicate the sexual and commercial exploitation of girls, boys and adolescents; to train unemployed women to develop non-traditional activities, under the Emergency Jobs Programme and the professional and technical training programme for women with low income; and to combat violence against women and guarantee them access to justice, in compliance with the Inter-American Convention of Belem do Para on the Punishment, Prevention and Eradication of Violence against Women."

From the ideological standpoint these commitments leave an indelible imprint on the question of determining and applying a policy on the human rights of Argentina's women.

It is argued that:

> "The history of democracy and human rights is the history of the successive expansions of the powers of the citizenry, of the representation of new

opinions and interests in the public debate, and of the inclusion of the people on the margins of the system.

The exclusion of women from the real exercise of power has been one of the most crucial challenges and criticisms for modern democratic systems. To ensure that women can be active citizens, participate in the taking of decisions and have access to the most senior posts in the Government and to representative bodies on a balanced footing with men is not a problem for women alone. It is a problem for the whole of society and it is fundamentally a question of respect for human rights.

The representation of women's opinions, interests, perspectives and values in decision-making is a necessary condition for the effective delivery of women's human rights and especially of their right to full citizenship. The effective participation of women in the political processes on equal terms does not constitute a truer representation but rather a truer democracy".[2]

These commitments signified a substantial change in the administration of the CNM which had been initiated just a few months earlier, and they were taken into account, as will be discussed in subsequent chapters, in the formulation and implementation of pro-active public policies by the CNM, which is responsible for the application of the Convention.

The dialogue with civil society

The second strategy, which is based on the establishment of joint activities with a variety of organizations of civil society working with and for women with a view to securing agreement on policies, will be discussed later, in the section on article 4 of the Convention under the heading "Civil society forum".

From commitment to action: the cross-cutting approach

The third strategy has been decisive for the work of the CNM, and the results have been satisfactory in respect of the adoption of the gender perspective in a number of ministries.

In the process of building links between the different agencies the CNM had to take a strategic decision as to which areas were conducive to dialogue and interaction among equals, with a view to initiating the formulation of public policies connected with the implementation of the Beijing Platform for Action.

The CNM understands the cross-cutting approach to mean the determination and promotion of joint activities by the various public and private agencies having an influence on a given issue. This means in turn that the CNM, from its position in the Executive Office of the Cabinet of Ministers, must take the lead in formulating these public policies and in coordinating their execution and appraisal in order to incorporate a gender approach in them.

This strategy does of course establish an order of priorities, for it would be neither desirable nor productive to tackle at the same time and on a permanent basis

[2] Marcela Rodríguez (2001).

all the areas in which the State intervenes with pro-active policies. But this also means demonstrating and promoting a pro-active approach in those areas where the State is for the moment absent but where the established priorities require its presence.

Strengthening of links with the judiciary and the legislature (national and provincial)

The fourth strategy is concerned with the measures adopted by the Legislature in terms of sectoral policy. The CNM works together in this area with members of the national and provincial parliaments to promote draft legislation which incorporates gender equity.

A number of reports have been brought forward concerning draft legislation on family violence, a register of persons in arrears with maintenance payments, sexual and reproductive health, and sexual harassment, and the CNM has advised on and participated in the production of other draft legislation at the national and provincial levels, as well as in initiatives such as the establishment in the city of Jujuy of the network of legislators in the North-East and North-West regions.

It has taken part in a number of meetings of committees of the national Chamber of Deputies and of provincial legislatures and deliberative councils.

This strategy will be discussed further in the specific sections of the report on articles 4, 5, 11 and 12 of the Convention.

In the case of the Judiciary, working relations have been established with the Association of Women Judges of the Republic of Argentina, and the CNM has taken part in a variety of national and provincial meetings on the analysis of legislation attended by members of the Judiciary. Further details will be found below under article 5.

Federalism

The fifth strategy is connected with the work of the Federal Programme for Women, which is concerned with the institutional strengthening of the national, provincial and municipal women's offices. In addition, a space for dialogue among the provinces is offered by the Federal Women's Council, made up of titular and deputy federal councillors appointed by the governor of each province. This Council takes decisions on the strategies for application of the various public policies designed to secure gender equity while bearing in mind the situation in each region.

The aim is to develop the technical policy-making and operational capacities which are essential to the design, formulation, monitoring and appraisal of public policies for the achievement of equity between men and women.

The Federal Programme for Women (PFM) is based on structural equality, for it provides the offices in all the jurisdictions with identical equipment, training and technical assistance, empowering them to develop their own capacity to formulate plans, programmes and activities to promote equality. This gives effect to decentralization in a federal State such as Argentina.

The PFM coordinates the work of the various national, provincial and municipal offices in order to establish cross-cutting activities, give effect to the gender approach in public policies, and promote a new model of the social contract based on the full and equal participation of women in the country's social, political economic and cultural life.

For the year 2000/2001 the PFM covered the provinces of La Pampa, La Rioja, Misiones, Neuquén and Salta, which completed the basic institutional strengthening module (FIB), the expanded institutional strengthening module (FIA) and the support for local initiatives module (AIL). For the year 2000 it covered the provinces of Catamarca, Chaco, Chubut and Río Negro, where the first FIB module (policy-making capacity and technical assistance) was completed.

The delivery of technical assistance in terms of computer and printing equipment and other technology was completed in 2001 in all the provinces having women's offices.

The PFM has two components:

1. Institutional strengthening component
   - 1.1 Institutional strengthening of the CNM
   - 1.2 Institutional strengthening of the AMPs
     - 1.2.1 Basic institutional strengthening (FIB)
     - 1.2.2 Expanded institutional strengthening (FIA)
   - 1.3 National Women's Information System (SNIM)
2. Support for local initiatives component

The PFM was redesigned from scratch in 2000 in an effort to translate into concrete actions the principle of equality of opportunities between men and women as an indispensable condition for the achievement of social equity.

Detailed work was done on the planning of the measures to be taken under the institutional strengthening component, with special emphasis on the strengthening of the provincial women's offices (AMPs), for they were regarded as essential for:

- Securing recognition by society of the many roles played by women;
- Eliminating all forms of discrimination against women;
- Promoting women's effective independence in all areas and the institutionalization of their relations;
- Satisfying women's strategic needs in terms of strengthening their decision-making capacities in political, economic, social and cultural matters, etc.;
- Contributing to the success of policies in general and of social policies in particular by making maximum use of the resources received from the Government;
- Introducing preventive arrangements to protect high-risk groups and avoid the victimization of women.

Public Competition No. 1/00 (submission of proposals for the PFM component on support for local initiatives) was launched.

The FIB technical assistance and training activities initiated in the provinces involved in the pilot stage formed the basis for the initiation of a process of enhancing the participants' awareness of the importance of incorporating the gender perspective both in public policies and in the various grass-roots activities, and the special importance of working together to secure gender equity. It proved possible to move forward with the updating and consolidation of the expectations initially placed in the PFM while still completing satisfactorily the different stages of the invitation to take part in the Competition. This was demonstrated by the large number of projects submitted (172) and the back-up and technical assistance provided in the proposal-formulation stage.

The participation of the National Executory Unit (UEN) in the various PFM activities made it possible to match supply to demand and actions to needs, in a context in which the public policies were fragmented and incomplete and generally formulated from the standpoint of supply without reference to the situations and demands of the groups at which the policies were targeted.

The PFM process is based on an entirely different approach, for the picture of certain problems of gender inequality resulting from the PFM training illustrated a number of ideas and concerns existing within actual situations; these ideas and concerns were translated into projects to be submitted in the Competition based on the conclusions drawn by the various actors from their daily experience of the concepts used in the training process. The UEN provided constant technical support to ensure that these proposals did not lose sight of the cornerstones of the PFM: the gender perspective and the need for cross-cutting public policies.

1. Institutional strengthening component

General objective: to equip the National Women's Council (CNM) and the provincial women's offices (AMPs) with the necessary policy-making, technical and managerial capacities for reviewing, formulating and monitoring public policies and programmes from a gender perspective.

This component has three subcomponents:

1.1. Institutional strengthening of the CNM

The aim is to build up the capacities which the CNM needs in order to act as coordinator of the national policies for women and as executing agency of the PFM.

1.2. Institutional strengthening of the AMPs

The aim is to improve the policy-making, technical and managerial capacities of the AMPs by implementing two modules.

The PFM provides the women's offices with training, technical assistance and computer equipment for the development of policy-making, technical and operational skills tailored to the new managerial and information technology methodologies, with a view to decentralizing and multiplying the impact of the measures.

"Women's office" embraces all the governmental agencies and other bodies responsible for the design, formulation, monitoring and evaluation of public policies for women. They are the organizational bodies of the municipal, provincial and national governments which, under such titles as Office, Council, Institute, Secretariat, Department, etc., formulate public policies for the jurisdiction in question.

They are the direct promoters of the PFM in respect of:

- Securing the highest possible institutional status;
- The provision and administration of own resources;
- Establishing an intersectoral approach involving other areas of governmental activity.

These aims are achieved by means of the following modules:

1.2.1. Basic institutional strengthening module (FIB)

There are four objectives:

1. To train the managers and staff of provincial women's offices and representatives of municipal offices and other relevant agencies of the State and civil society in the formulation, review and monitoring of public policies and plans for gender equality at the provincial level, and to build up their technical and managerial capacities. The training comprises the modules on strengthening of policy-making and technical and managerial capacities.

2. To provide technical assistance and advice to the AMPs with respect to the coordination of the priorities of the provincial gender-equality plans with public agencies and local and national civil society organizations (OSCs), and with respect to improving their technical and managerial capacities.

3. To exchange experience, good practice and lessons learned under the PFM at regional meetings held for this purpose.

4. To enhance the operational efficiency of the AMPs, and in particular to facilitate access to and distribution of information, by providing the provincial offices with the necessary equipment.

Some 250 women a year received training in 2000 and 2001.

Evaluation of the pilot project

There follows a summary of the evaluation of the activities carried out under this subcomponent in the provinces of La Pampa, La Rioja, Misiones, Neuquén and Salta in 1999 and 2000.

Assistance: the amount of assistance furnished to the training courses varied from province to province, depending on the number of participants, between a maximum of 90 per cent in La Pampa and a minimum of 55 per cent in La Rioja; the

average number of participants was 60. This assistance was determined partly by the levels of participation of persons from the interior and from the provincial capital. There was a relatively high proportion of participants from the interior since the travel and subsistence allowance represented an additional month's salary or more for many of the staff members of the municipal women's offices and representatives of the municipalities. This in turn created a kind of imbalance in relation to the participants from the capital cities.

Participants' profile: there was a predominance of persons holding administrative posts both among the participants from the provincial public administrations and among the representatives of OSCs. The cross-cutting effect was weak because there were few participants from other ministries or from the Judiciary or Legislature. The average level of education (except in Misiones and Salta) was secondary rather than university. Eighty-five per cent of all participants said that they had some prior knowledge of gender issues.

Evaluation: the points raised in the evaluations made by the participants related to the content (comprehension and usefulness), materials and teachers. These evaluations were very positive in all the provinces, especially with regard to the new knowledge acquired and its applicability and to the opportunity for collective thinking with colleagues and teachers.

The item "equipment and premises" produced negative assessments in some provinces (La Rioja and Salta, for example). In La Rioja the training took place in the police department, and this was mentioned as a problem by participants and teachers. In Salta the changes of location were found to be very inconvenient.

The information gathered from the teachers, advisers and local technical assistants pointed to a number of weaknesses in connection with the points discussed above: poorer attendance from the capitals, other ministries and the Judiciary and Legislature, and problems with the invitations to attend and the forwarding of travel and subsistence allowances. The strong points included the high level of group commitment, the good working and participatory atmosphere, and the quality of the content and its applicability.

Recommendations resulting from the evaluation of the pilot project

The first recommendation was that in the next stage use should be made of the experience gained with the content of the modules taught in the five provinces.

It was also recommended that the invitations to attend the training and technical assistance sessions should be more strongly worded, in order to secure a bigger and more homogeneous participation by women from the various sectors and thus to improve the efficiency of the PFM and facilitate the cross-cutting approach to gender issues; there should be more participants with tertiary/university education holding technical and executive posts in the public sectors and playing a part in decisions on policies, plans and programmes.

Redesign of the training and technical assistance activities

The activities under the FIB subcomponent were redesigned in 2001 in the light of the country's general economic situation and the findings of the evaluation of the pilot project in order to meet the commitments made to the provinces and the targets set for 2001. The following new strategies were agreed:

1. Composition of the training team. Instead of using consultants or specialized institutions to conduct the activities it was decided that the activities should be led by advisers from the UEN technical team and other CNM specialists. Both the members of the UEN team and the CNM specialists are already amply qualified to take on this work by reason of their initial skills and the experience gained in working in the PFM and the CNM. The members of the training team have managerial as well as teaching skills; the use of this existing capacity has the following advantages:

(i) The use of the same training team in all the provinces invests the training process with a logical sequence;

(ii) Valuable experience of team work;

(iii) Experience of managing a women's office implies knowledge from the inside of the realities of the work of these offices and the ability to adapt the theories to the local situations.

2. Redesign of the module activities. The aim was to reduce the time spent on the activities and eliminate those which are not essential to the attainment of the Programme's objectives. The workshop on leadership, negotiation and participation was eliminated since the participants had already received training in these topics.

The technical assistance to improve technical and managerial capacities was subdivided into two stages in view of its importance for the AMPs in terms of medium-term strategic planning and for the rest of the participants as a practical application of what they had learned during their training in strategic planning and project design.

The first stage is for all the participants: the aim is for each of them to carry out an individual strategic planning exercise. The second stage is for AMP personnel only: the aim is to prepare the strategic plan for their offices for the next three years.

3. Adjustment of the participants' profile. This profile is to be based on the following characteristics: the programme's activities are aimed at: (i) AMP advisers and management staff; (ii) employees of provincial governments; (iii) managers of the OSCs collaborating with the AMPs; (iv) AMP professional and technical personnel; (v) managers of municipal women's offices; (vi) professional and technical decision-makers from agencies of the provincial and municipal governments. The PFM is not aimed at women alone. Moreover, the effective attainment of the objectives both of the PFM and of the CNM implies the participation of professional and technical personnel from all areas of government in order to incorporate the gender perspective in all sectors.

Description of the content of the activities

Module on policy-making capacity

Seminar on gender and public policy

Aims:

1. To establish an approach which facilitates the analysis of public policies from the gender perspective, identifying inadvertent repetition of sexist stereotypes, advocating alternative strategies for achieving equality of opportunities, and delineating a general picture of gender problems in the State.

2. To equip participants with the necessary knowledge to identify the "key points" in decision-making processes for the formulation and implementation of public policies, in order to be able to develop strategies to ensure that the concept of equality of opportunities between men and women is integrated in and becomes a permanent feature of these policies.

3. To analyse the mission and role of governmental agencies for women.

4. To incorporate the concept of the cross-cutting approach to gender issues and its effective application at the national, provincial and municipal levels.

5. To institutionalize the gender perspective in the design, execution, monitoring and assessment of public policies.

Technical assistance to strengthen policy-making capacities

General aim:

To contribute to the practical application of the knowledge and/or skills imparted under the module on policy-making capacities in order to obtain a concrete output to be used in the participants' daily practical work.

Module on the strengthening of technical and managerial capacities

Workshop on strategic planning and project design

Aims:

1. To furnish the knowledge and techniques needed for the strategic planning of the participants' offices, incorporating the cross-cutting approach in the process.

2. To furnish the knowledge and skills needed for formulating projects from the gender perspective.

Technical assistance in the strengthening of technical and managerial capacities

General aims:

First stage: To contribute to the practical application of the knowledge and/or skills imparted under the module on technical and managerial capacities, in order to obtain a concrete output to be used in the participants' everyday practical work.

Second stage: To provide the AMP participants with the technical assistance needed for applying the knowledge and/or skills acquired in their previous training to the design, formulation and implementation of a strategic plan for their provincial and/or municipal offices.

Third stage: Transfer of the content of the PFM to the municipal offices by the means which each jurisdiction deems most appropriate, such as seminars, regional meetings, etc.

1.2.2. Expanded institutional strengthening module (FIA)

Aims:

1. To monitor and consolidate the capacities strengthened under the FIB module in the light of the characteristics and needs of each province. The FIA module is implemented once the FIB subcomponent has been completed; it includes training activities tailored to the needs stated by the provinces.

The first five FIA exercises were designed and arrangements were made for their implementation in the provinces involved in the Programme's pilot stage, in accordance with the requests made by the beneficiary offices.

Priority was given first to reproductive health and then to violence in the choice of the subjects to be dealt with, for they appear to be the main problems confronting the women's offices and OSCs in their everyday work. This can be seen from the response to the invitation to submit projects under the component on assistance for local initiatives: these subjects were the ones most frequently nominated.

The first FIA topic was entitled "Workshop on reproductive health, gender and human rights", followed by "Use of the single register of domestic violence" and "Prevention of domestic violence".

1.3 National Women's Information System (SNIM)

The aim is to develop an information system in the CNM and use it in the provinces involved in the Programme.

The SNIM is a system of information on the gender situation in Argentina; it has two axes:

- A continuous system of indicators of the gender situation which will be constantly updated and expanded as the supply of information allows;
- An integrated system of information on the gender situation which will help to maximize the use of the resources currently available.

The SNIM seeks to provide a coherent response to the various demands from the users, while avoiding duplication of other tools created for the purposes of public administration. It does not produce primary information, and the indicators are based on the available official statistics, including censuses, national surveys and administrative records.

Gender indicators are measurements which offer a picture of the inequality of opportunities between the sexes and in access to material and social resources, as well as in participation in the taking of the principal political, economic and social decisions which regulate life in society.

2. Support for local initiatives component

General aim:

To encourage collaboration between civil society organizations (OSCs) and public sector bodies at the provincial and municipal levels with a view to the implementation of projects with a gender perspective.

The support for local initiatives component (AIL) of the PFM is designed to supplement and support the efforts to strengthen the provincial and municipal women's offices (AMPs and AMMs) and to encourage the participation of OSCs and public sector bodies.

The component provides for the financing of projects regarded as priorities at the local level and designed to support public policies with a gender perspective which help to eliminate the various forms of discrimination against women and promote appropriate social conditions for guaranteeing them the effective exercise of their rights.

- The AIL component facilitates the incorporation of the gender perspective both in public policies and in the various grass-roots activities and it highlights the importance of working together to achieve gender equity.
- Public policies in Argentina have usually been fragmented and incomplete and formulated from the standpoint of supply rather than of the realities and demands of the groups at which they are aimed. The component makes it easier to match supply to demand and actions to needs.
- The component enables the actors to consider the concepts worked on during the training sessions in everyday terms and thus to form a picture in project terms of a number of the problems of gender inequity.

Public competition on presentation of proposals under the AIL component

Invitation to submit proposals

Following the distribution to the AMPs of the "Guide to project formulation and submission" interested organizations obtained the necessary forms from the provincial headquarters of the women's offices. Most of the requests for forms from organizations interested in participating in the Competition arrived in the first two weeks after the issue of the invitation, and after that period all the provinces except for Neuquén requested more forms. A total of 357 forms was sent out: Salta – 66; Misiones – 92; La Rioja – 76; La Pampa – 73; Neuquén – 50.

Model proposals

The Guide set out the eligibility and selection criteria for the proposals submitted in response to the invitation.

"Model proposals" were identified as thematic and programmatic areas for the Programme. The aim was to provide guidance on the submission of projects but without imposing any restriction on other proposals, which could be submitted as additions to the ones set out in the Guide in the light of the Programme's objectives and the local and/or regional situations.

The model proposals were based on the points of intersection of thematic and programmatic areas and the gender perspective. Accordingly, irrespective of the theme forming the basis for the proposal this approach encouraged the development of activities designed to support families living in situations of poverty.

(a) The gender and cross-cutting approach of the proposal:

- The projects should be designed primarily to correct the unequal status of women (i.e. comply with the CNM objectives);
- The projects submitted by local governments and other public sectors or bodies should address the principle of the transversality of the gender perspective.

(b) The thematic areas:

- Reproductive health
- Domestic violence
- Women's rights
- Education
- Female leadership
- Employment: participation in the labour force
- Discrimination
- Rural/indigenous women
- Education and culture
- Other areas regarded by the AMPs as priorities in their provinces

(c) Programmatic areas:

- Proposals for intervention and action
- Training
- Research

Proposal evaluation guide

Variables to be weighted	*Subvariable points*
PROJECT LOGIC	45
Definition of the problem situation: existence of a clear definition of a gap to be closed between a present and a desired situation. Existence of a justification of why and how the project will help to close the gap.	10
Relevance of the objectives to the objectives of the PFM	9
– Is the gender perspective included? (The project's effects on the situation of women, not on their status)	
– Is the cross-cutting criterion taken into account? This means that at least one other governmental office should be involved in the project at some level.	
– Does the project help to improve the formulation, monitoring and evaluation of public policies and programmes to ameliorate women's situation in the province or municipality?	
Correspondence between objectives, activities and outcomes	8
– Will 100 per cent of the activities be carried out and will 100 per cent of the desired outcomes and the objective be achieved?	
Desired outcomes	8
– Is there a clear definition of indicators for quantitative measurement of outcomes following implementation?	
Budgetary adjustment	5
– Are the costed inputs necessary and relevant to the implementation of the activities?	
Inputs of the organization	5
– If these inputs are calculated incorrectly, it will be assumed that there are no inputs.	
Project logic subtotal	
BACKGROUND AND EXPERIENCE OF THE APPLICANT INSTITUTION	30
Existence of a prior institutional structure	8
– The older the institution, the better it is qualified. In the case of UTEs, the oldest will be selected.	
Background of organized project work	7
– Measured by volume of institution's work. The work done by the organizations is included in the case of UTEs.	
Description of project's coordination	6
– Years in the special area/studies	
Experience in similar or related activities	
Description of technical team	6
– Experience in similar or related activities. (Average of the experience of all the members of the team)	
Background in working on the subject of gender	3
– The background of the coordinating body and of the institution is taken into account.	

Variables to be weighted	*Subvariable points*
Background and experience subtotal	
HARMONIZATION AND COMPLEMENTARITY WITH OTHER INSTITUTIONS	15
Links with local workers in the thematic area	8
– Are there any links with the more experienced workers in the project's area of activity?	
Existence of documentation to support these statements	7
Harmonization and complementarity subtotal	
CORRESPONDENCE WITH PROVINCIAL PRIORITIES	5
REPLICABILITY OF THE PROJECT	5
Possibility of continuing to implement the project after the end of the funded period and/or transfer of the experience gained to other groups and/or replication in other geographical areas.	
PROJECT'S TOTAL SCORE	100

Score required for approval: 70 points

Technical assistance with project preparation

In the five pilot provinces (La Pampa, La Rioja, Misiones, Neuquén and Salta) assistance was furnished to: provincial women's offices; municipal women's offices; academic units; governmental organizations; non-governmental organizations.

Submission of 172 projects in response to the invitation

Misiones accounted for 31 per cent of the projects submitted, La Pampa 26 per cent, Salta 17 per cent, La Rioja 15 per cent, and Neuquén 11 per cent. The main thematic areas covered by the projects were reproductive and women's health, rights and discrimination, domestic violence, rural/indigenous women, employment, and female leadership.

As envisaged in the PFM, OSCs were strongly represented in this exercise. Forty-six of the projects were submitted by OSCs, 18 per cent by AMMs, 15 per cent by the provincial public sector, 10 per cent by the municipal public sector, 6 per cent by AMPs, and 5 per cent by universities.

Preselection of projects

Once the projects had been received from the provinces the CNM made a start on their evaluation. Immediately after the analysis of the projects' methodological quality it created an appraisal committee consisting of its sectoral specialists. The projects were analysed, assessed and selected on the basis of the evaluation guide and the points scored, with special attention given to their relevance and sustainability/replicability. The list of selected projects was delivered to the PFM authorities on 30 March 2001.

Project selection and funding

Budgetary adjustment

In order to correct the cost variations between similar projects, an average price guide was prepared by province, and the project budgets were adjusted accordingly. These price guides were based on information supplied by the local technical assistants, which took into account local differences. The budget adjustment body was supervised by the local assistants.

Approved projects

This analysis, evaluation and budgetary adjustment exercise resulted in the selection of a total of 52 projects. By province, the numbers of approved projects were: La Pampa – 15; La Rioja – 10; Misiones – 10; Salta – 9; and Neuquén – 7.

The selected projects covered the following thematic areas: reproductive and women's health – 16; violence –13; rights – 7; employment – 7; rural/indigenous women – 5; female leadership – 2; and education – 1.

The breakdown by submitting institution was as follows: OSCs – 21; provincial public sector – 12; AMMs – 6; national universities – 3; local public sector – 5; and AMPs – 4. The AMPs were in La Pampa, La Rioja, Misiones and Salta.

Input of the agencies and organizations

It must be pointed that most of the selected projects were submitted by agencies and organizations able to offer substantial counterpart funding, in many cases almost 50 per cent. This reflects their concern to ensure the projects' viability and sustainability.

Envisaged impact

The selected projects involve more than 250 technical staff and experts working in interdisciplinary teams which will establish, in the light of the execution of the projects, working techniques, methodologies and modes which strengthen the provinces' installed capacity to deal with gender issues. In addition, some 3,000 people will benefit directly from the projects, and an estimated 25,000 will benefit indirectly.

The agreements between the CNM and each of the institutions whose projects were selected were signed in December 2001, and the activities have begun.

Some final considerations

This brief account illustrates the importance and the evolution of the component within the PFM, for it is being built up through a cumulative process which will culminate in the implementation of the projects and their monitoring and eventual evaluation.

It is hoped that this process will result in the establishment of coordinated cross-cutting activities and networking by local and provincial agencies and focal points with the AMPs, generating a synergy which will help to achieve the

Programme's objective of improving the formulation, monitoring and evaluation of policies and programmes designed to enhance the situation of women.

Implementation of the Federal Programme for Women 2000-2001

The following were the main activities carried out in 2000 and 2001, by component:

1. Institutional strengthening component

1.1. Institutional strengthening of CNM subcomponent

1. International seminars:

- Organization in conjunction with UNICEF, UNIFEM and the National Council for Children and the Family of a seminar on "Women's and children's rights: building full citizenship" (2000) with a view to the design of an agenda for the adaptation of legislation and formulation of public policies for women and children with a human rights and gender approach;
- Organization of an ECLAC/CNM/CIEPP seminar on "The incorporation of gender in public policies" (Buenos Aires, 2001).

2. Training and technical assistance for CNM and PFM personnel: (i) workshops for coordination and exchange of experience; (ii) information sessions on the Domestic Violence Register and the reproductive health thematic area; (iii) workshop on publicity and mediation techniques; (iv) workshop on the cross-cutting approach, with the participation of AMP officials; (v) workshop on public participation; (vi) workshop on project design and preparation (with the participation of OSCs); (vii) workshop on training in the recognition and management of cases of domestic violence (2001).

3. Technical assistance with the determination of methodologies and methodological tools: (i) measurement, processing and analysis of the CNM base line of December 2000; (ii) measurement, processing and analysis of the AMP base line of December 2000; (iii) collection of information for the monitoring of the PFM processes (2000).

4. Awareness-raising and training for personnel: participation in the launching in Jujuy of the network of legislators in the North-East and North-West regions (2000).

5. Technical assistance activities connected with gender topics and cross-cutting, on request.

Year 2000

1. Start-up and continuation of work with the Ministries of Health, Education, Labour and Social Development, Justice, and Internal Affairs, with a view to coordination of intersectoral activities and programmes with a gender perspective.

2. Creation of the Domestic Violence Register and holding of training workshops for the personnel involved.

3. Approaches to businesswomen, in conjunction with the Argentine Technological Fund and the women's office of the General Confederation of Industry, for the purpose of publicizing the mechanisms for obtaining the loans to be made available to businesses headed by women.

4. Formulation of the National Plan for the Reduction of Maternal and Infant Mortality in conjunction with the Ministries of Health, Education, and Social Development.

5. Signature of an agreement with ECLAC-GTZ Argentina on "Incorporation of the gender approach in labour and economic policy: employment in the health sector".

6. Participation of the inter-institutional network formed by the care centres for victims of violence (Victim Care Centre, National Council for Children and the Family, hospitals, City Government, specialized NGOs).

7. Technical assistance with the formulation and submission of projects under the Emergency Jobs Programme and the subprogrammes on grass-roots development and productive jobs.

8. Participation in the regional meetings on AMM creation and consolidation.

Year 2001

1. Participation in the Healthy Prisons Programme of the Secretariat for Prisons Policy of the Ministry of Justice, in conjunction with the AIDS-Prevention Programme (LUSIDA) of the Ministry of Health and the SEDRONAR programme of the Office of the President. Holding of 12 workshops, on gender and domestic violence, gender and reproductive health, and the early detection of breast cancer in federal women's and children's detention units (2000 and 2001).

2. Technical assistance with the Heads of Household Programme of the Secretariat for the Third Age and Social Action of the Ministry of Social Development with a view to the inclusion of the gender perspective in the Heads of Household Programme (IDB/Social Development/Agriculture) which is being implemented in Chaco province. Revision of the design of the proposal with respect both to its training structure and to the development of its content.

3. Holding of training workshops on the prevention of violence against women and evaluation of the Domestic Violence Register in several provinces.

4. Participation in the meeting of the Ombudsmen's Network, Neuquén, 18 May 2001.

5. Organization of the CNM session, Buenos Aires.

6. Participation in the Interministerial Commission on implementation of the special social security regime for domestic workers (Act No. 25.239).

7. Production of five national reports (2001), on women and work, women and health, women and justice, women and education, and women and decision-making.

8. Awareness-raising sessions for the media:

(a) Working breakfast with journalists;

(b) Support for the campaign for a women's quota in the Legislature;

(c) Publicity campaign and promotion of participation in the International Day against Violence against Women (2000):

(i) Holding of an event to commemorate the struggles, victories and achievements of women throughout Argentina's history;

(ii) Participation in the publicity activities at the event organized by INADI in connection with the Day against Discrimination;

(iii) Publicity activities at the Books Fair;

(iv) Presentation of the book Mujer y Justicia (Women and Justice), Buenos Aires, 10 May 2001;

(v) Holding of discussion/talks on "The Vagina Monologues";

(vi) Coordination of the publicity campaign on the workers' rights and duties contained in the special social security regime for domestic workers (2001).

9. Training and technical assistance for OSCs: (i) implementation of the FACA module (agreement with the Argentine Federation of Colleges of Lawyers (FACA)) offering training to domestic-violence lawyers. The module includes the provision of free legal assistance to women victims of violence who cannot afford a lawyer (2001); (ii) training and technical assistance for OSCs: (a) holding in conjunction with NGOs of a meeting of the Forum of Women against Corruption in September 2000; (b) coordination with research and academic centres, experts and specialists with a view to establishing collaboration and exchanges; (c) signature of cooperation agreements with the National University of the Litoral and the National University of Southern Patagonia; (d) agreement with CELAM, an NGO working on the prevention of cancer of the genital organs and the breast; (e) holding in conjunction with the Argentine Federation of Municipalities of a workshop on "Exchange of experience in gender equity and local governments" as part of the second regional meeting on "Affirmative action to promote the participation of women in local government"; (f) invitation to NGOs to establish a civil society forum in order to determine joint measures to protect women's rights and promote equality of opportunities and treatment (2001).

10. Training for other States, on request: (i) horizontal cooperation with the FO-AR programme of the Ministry of Foreign Affairs, International Trade and Religion on technical assistance for the Government of Nicaragua. Technical assistance: pro-active measures in favour of women in the public administration of the Government of Nicaragua, Managua; (ii) technical assistance for Ecuador's development programme for indigenous and black peoples.

1.2. Institutional strengthening of AMPs subcomponent

1.2.1. Basic institutional strengthening module

Year 2000

1. Completion of the FIB module in the provinces taking part in the pilot scheme. The FIB module was completed in the five provinces in question: Misiones, La Pampa, La Rioja, Neuquén and Salta.

2. The leadership, advocacy and participation workshops were held in Misiones, La Salta and La Pampa. The following activities were carried out in all five provinces:

- Technical assistance for building policy-making capacity;
- Seminar on management, environment and organization;
- Human resources workshop;
- Strategic planning workshop;
- Fund-raising workshop;
- Project design and preparation workshop;
- Budget workshop;
- Technical assistance for technical and managerial capacity-building, first and second stages.

Year 2001

Redesign of training and technical assistance activities

The activities under the FIB subcomponent were redesigned in 2001 in the light of the country's general economic context and the results of the evaluation of the pilot scheme, in order to fulfil the commitments made to the provinces and attain the targets agreed for 2001.

Start-up of the FIB module in other provinces

In June 2001 the computing and printing equipment envisaged in the PFM was supplied to all the provinces having women's offices which had not yet received it.

The activities were initiated in November and December 2001 in the provinces of Chaco, Chubut, Catamarca and Río Negro with the holding of the seminar on "Gender and public policies and technical assistance for capacity building".

1.2.2. Expanded institutional strengthening module (2001)

1. Implementation of the expanded institutional strengthening module (FIA) in the five provinces of the pilot phase. The first five FIAs were designed and organized in the provinces of the PFM pilot phase around the workshop on reproductive health, gender and human rights.

2. Five FIA modules on "Use of the Domestic Violence Register" and "Prevention of domestic violence" were designed and their implementation was organized.

1.3. National Women's Information System (2001)

1. Redefinition of aims, targets and mechanism for obtaining information for the National Women's Information System (SNIM).

2. Selection of indicators to produce a body of relevant information, with a view to measuring the evolution of a number of inter- and intra-gender gaps on the basis of their correspondence to the strategic objectives of the CNM and PFM.

3. Conceptual definition of each indicator and design of the detailed record files for all the indicators.

4. Gathering of information from relevant sources (EPH, National Institute of Statistics and Censuses (INDEC), statistical offices of the ministries, etc.).

5. Organization of the updated information collected in 2001 in a system of dynamic charts and tables connected by hyperlinks which can easily be transferred to a CD-Rom or to the Internet.

6. Organization of the information in a written report.

2. Support for local initiatives component

Year 2000

1. Production of the "Guide to project formulation and submission" for distribution in the provinces, in accordance with the operational manual and annexes of the PFM contract.

2. Presentation and dissemination of the aims of the component in the provinces involved in the PFM pilot phase: La Rioja, Salta, Misiones, Neuquén and La Pampa. Technical assistance for AMPs, AMMs, OSCs and governmental bodies in connection with the submission of projects.

3. Publication on 12 December of the invitation to submit projects in the main daily newspapers of the five provinces.

4. Free distribution of the "Guide to project formulation and submission".

Year 2001

1. Technical assistance with project preparation was furnished in the five provinces to AMPs, AMMs, academic institutions and governmental and non-governmental organizations. A total of 172 projects was submitted.

2. Preselection of projects.

3. Project selection and financing. Budgetary adjustment process:

- On 29 June the 51 selected projects were submitted to IDB for its approval;
- Following analysis, evaluation and budgetary adjustment a total of 51 projects was selected: Salta – 9; Misiones – 10; La Rioja – 10; La Pampa – 15; Neuquén – 7.

4. Signature of agreements and start-up of implementation. The activities were initiated following the signature of agreements in December 2001 between the CNM and each of the institutions whose projects had been selected.

Action taken in compliance with the Convention and the Committee's suggestions and recommendations on the third report (1997)

Articles 1, 2 and 3

Attention is drawn to the national legislation enacted by Argentina with regard to these articles of the Convention, which are concerned with the advancement of women in general and the prevention of discrimination. It is worth pointing out that the "women's quota" in the Legislature played an important role in this development and had a positive influence in ensuring that this legislation was tabled and in securing a happy outcome. One essential factor was that the National Women's Council (CNM) worked hand in hand with other bodies in securing the enactment of this legislation. The following acts were adopted by the National Congress in 2000:

Act 25.239, title XVIII "Special social security regime for domestic workers" and its Regulatory Decree No. 485/2000 and Decree No. 290/01. See the discussion under article 11 below of the work done by the Executive, with technical/political coordination by the CNM.

Act 25.250, title I "Promotion of stable employment", which includes two incentives for employing women. Again see the discussion under article 11.

Act 25.273, creating a special regime on justified absences due to pregnancy for students in general basic, polymodal and non-university higher education in establishments in national, provincial and municipal jurisdictions.

Act 25.255, approving ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, adopted at the eighty-seventh session of the International Labour Conference.

Act 25.358, approving the Inter-American Convention on the international return of children.

Act 25.391, requiring the National Congress to produce an annual report on the human rights situation in Argentina.

In February 2000 Argentina signed the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, which is now awaiting approval by an act of the National Congress.

In December 2000 Argentina signed the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

Other measures

The Ombudsman of Buenos Aires City granted an application challenging the lists submitted to him for his official approval in connection with the elections to the Public College of Lawyers of the Federal Capital on the ground that none of the lists complied with the 30 per cent "women's quota" requirement established by Act 24.012.

In his resolution No. 0495/00 the Ombudsman urged the College to revise its election regulations to bring them into line with the current legislation on the

participation and eligibility of women in the electoral lists for the College's internal bodies.

The explanation of grounds in this Resolution stated that, regardless of the applicability or otherwise of the Act in its broader or narrower interpretation, the College was not exempted from compliance with the provisions of the Convention on the Elimination of All Forms of Discrimination against Women, and that in a broad sense the same interpretation could be applied to article 37 of the National Constitution and to article 36 of the Constitution of Buenos Aires City.

In July 2001 the Federal Administrative Court stated in case No. 10.958/2000 (Paz Marta and others.v. Public College of Lawyers of the Federal Capital): "(12) It must be made clear that the issue in this case is to give effect to the right accorded to women lawyers who are graduates of the Public College of Lawyers of the Federal Capital to be candidates in elections held in the College and to be elected. Affirmative action, in the form of the 'women's quota', must be taken to ensure that women lawyers have the same actual opportunities to be elected as their male colleagues, for they are in a disadvantaged situation".

This decision granted the application and confirmed "the right accorded to women in general and to all women graduates of the Public College of Lawyers of the Federal Capital to a minimum quota of 30 per cent, in accordance with Act 24.012, in lists of candidates for election and to real opportunities to be elected".

Article 4

In terms of temporary measures to accelerate the achievement of equality between men and women Argentina took an important step forward at the end of 2000 when the President, Dr. Fernando De la Rua, signed Decree No. 1246/00, which constituted a decisive political move by extending the quota's application to direct elections to the National Senate and by revoking Decree No. 379/93, whose provisions had been obstructing the application of the quota rule to elections to the Chamber of Deputies. This Decree settled all the controversy and invested the advocacy of women's right to hold the number of seats indicated in the Act with true legitimacy. The draft version of the Decree and all its supporting argumentation originated in the CNM; it was the fruit of the work of a CNM technical group and the subject of tactical political agreement with women members of the Congress from all parties, especially with members of the Committee on Constitutional Affairs.

The CNM itself took an active part in this process, doing vital work with legal and technical teams of the Ministry of Internal Affairs, the Executive Office of the Cabinet of Ministers, and the Legal and Technical Secretariat of the Office of the President.

In specific terms, Decree No. 1246 of 28 December 2000 regulates the Quota Act (No. 24.012) adopted in 1991 and replaces Decree No. 379/93.

The new Decree guarantees the effective application of the Act and establishes the general criteria for its homogeneous application by the political parties and the electoral courts. It clarifies and guarantees definitively the accessibility and the location of the lists of candidates and safeguards the genuine and fair participation

of women on the basis of the minimum quota required by the Act in accordance with the provisions of article 37 of the Constitution.

The Decree was part of the amicable solution proposed by the Inter-American Commission on Human Rights when it found in favour of application No. 11.307 submitted by María Merciadri de Morini, basing its decision on respect for the rights contained in the American Convention on Human Rights.

Act No. 24.012/91 and its previous Regulatory Decree had provided for a sharp increase in the number of women elected to the national Chamber of Deputies and had had powerful repercussions in the provinces, which enacted similar quota laws. However, a number of decisions of the National Electoral Court based on mistaken interpretations of the spirit of the Act established precedents which resulted in the fixing of a ceiling of about 28 per cent on the numbers of women members elected to the Chamber of Deputies since 1997.

Only tiny numbers of women were elected to the Senate. The 1994 reform of the Constitution established direct voting in elections to the Senate from 2001. Article 1 of Regulatory Decree No. 1246/2000 states that "the scope of application of article 60 of the National Electoral Code replaced by Act No. 24.012 shall extend to all the elective posts of national Deputies, Senators and members of constituent assemblies".

All of the articles of the new Decree faithfully respect the objectives of the Act and its underlying principles and they are not susceptible of contrary interpretations; the Decree thus removed one of the problems emanating from the earlier Decree.

It establishes that the 30 per cent quota fixed in the Act is the minimum level and shall apply to all the candidates in a list and that the quota shall not be deemed filled unless it is also applied with respect to candidates of political parties, confederations or ad hoc alliances standing for re-election to seats already held before the election. The text is accompanied by a table which forms an integral part of the Decree. (The texts of Act No. 24.012 and Regulatory Decree No. 1246/2000 are annexed to this report.)

The CNM was responsible for disseminating the new Decree throughout the country to the population at large but especially to the leaderships of the political parties, to public prosecutors and the electoral courts, and to politicians. When the time came, it monitored compliance with the quota rule in the lists presented nationwide for the election of senators and the re-election of national deputies, maintaining direct contacts with the electoral courts and the public prosecutors in the country's 24 electoral jurisdictions. It lodged eight applications for denial of juridical approval of lists in Buenos Aires City and in three provinces. It succeeded in establishing uniform criteria for the interpretation of the Act and the Regulatory Decree with most of the electoral courts and public prosecutors in all parts of the country. It also conducted a vigorous campaign in the mass media to publicize the action it had taken.

In the national elections of 14 October 2001 women achieved the minimum level of 30 per cent of seats in the National Congress, winning 101 seats in the two chambers: 76 deputies and 25 senators. (See annex, art. 7, for the lists for the Senate and the Chamber of Deputies.)

Favourable decisions have also been handed down in connection with the application of the quota rule in the elections of professional associations, such as the decision of the Administrative Court on the Public College of Lawyers of the Federal Capital in case No. 10.958/2000 (Paz, Marta and others v. Public College of Lawyers of the Federal Capital). (See above, the section on articles 1, 2 and 3.)

Article 5

Argentina has a highly developed body of both national and provincial legislation on the prevention of domestic violence.

However, despite the progress made with such legislation there are a number of situations where further work is required: expansion of the specialized services for women victims of violence; coordination among the various health, violence, women's, security and judicial services; functioning of the NGO networks; records systems in the services (in order to produce reliable and comparable statistics); and access to the justice system with free legal aid.

These situations, together with the need for improved access to the care centres, have been the focuses of the work conducted by the CNM as part of its efforts to make society more aware of the specific discrimination suffered by women in the family and at work.

The legal framework

The Protection against Domestic Violence Act (No. 24.417) was adopted in December 1994; it is regulated by Decree No. 235/96. From the legal standpoint, in view of the federal organization of the Argentine State the Act's scope is limited to Buenos Aires City, although the provincial jurisdictions have been invited to adhere to the Act.

The provisions of the Convention of Belem do Para, adopted by the National Congress in 1996, are binding throughout the national territory. Its incorporation in domestic legislation was an important event, for it furnishes an additional legal framework for the treatment of the new concepts and categories of women's rights in that legislation.

By the end of 2001 the legislatures of 20 provinces, representing the whole country except for only three provinces, had adopted similar acts. These acts have the following principles in common: competence in civil matters; extension of the provisions to both de facto and *de jure* marriages; arrangements for reporting cases; provision of measures of prevention and self-remedy; need for analyses of family relations; educational and treatment programmes and measures; free medical and psychological assistance, etc. Some provinces have created, either directly or by law, specific institutions for dealing with this type of problem or integrated programmes for its prevention and correction. There is also a considerable number of NGOs working in this area. In many cases public bodies and NGOs engage in networking to enhance their management and development capacities.

As a result of the application of the Act, between January 1995 and 31 December 2000 the courts of justice of the Federal Capital received the following numbers of complaints:

Victims	1995	1996	1997	1998	1999	2000
Minors	199	240	322	400	304	383
Old people	9	23	24	39	38	32
Disabled	4	4	2	5	6	7
Females	749	1 240	1 447	1 651	1 696	1 859
Males	32	94	89	120	117	125
Others	3	7	6	8	7	4
Total	1 009	1 601	1 820	2 167	2 160	2 269

A total of 11,026 complaints of domestic violence were received in this period, in the victim categories of minors, old people, disabled persons, males, females, and others. Women accounted for 78.38 per cent (8,642) of this total. In 71.41 per cent of all cases the complaints were lodged against a spouse or common-law spouse (data provided in March 2001 by the Judiciary's Legal Information Centre).

The National Women's Council: implementation of programmes on prevention of violence against women

In 2000 the CNM established the problem of violence against women as a priority area for its policy-making.

Cross-cutting incorporation of a gender perspective in public policies: national seminar on "Public policies, health and domestic violence: towards the formulation of public policies for the protection of children's and women's rights"

This seminar was aimed at the health sectors throughout the country and the AMPs, as well as at members of bodies which formulate policies for children and at personnel of the justice and education systems; it was organized by the Coordination Office for Nutrition Policy of the Ministry of Health and by the CNM.

The aim was to strengthen the inter-institutional work being done in the provinces and to establish coordination between the relevant services in every province in order to facilitate the efforts to tackle the problem and to fix standard criteria for care, referral and networking. This was also a very useful context for securing acceptance by the women's offices of homogeneous concepts of violence and gender and for the analysis of the impact of this kind of violence on women's health. The seminar was held in Buenos Aires on 18-19 December 2000.

The following publications were brought out as a result of the seminar: "Public policies, health and domestic violence: towards the formulation of public policies for the protection of children's and women's rights" (CNM and Ministry of Health, IDB financial/technical cooperation, 2000); and "Women and violence in the Republic of Argentina. International conventions and national and provincial legislation: the challenges" (CNM/Ministry of Health/IDB, 2001).

Access to the justice system

Agreement between the CNM and the Argentine Federation of Colleges of Lawyers (FACA): "National programme on access to exercise of rights and the training of domestic violence specialists", 19 October 2000

The aim is to implement a programme for the training of lawyers as domestic violence specialists through the Federation's member colleges. There are 73 such colleges located throughout the country, with a total membership of over 70,000 lawyers. The colleges are committed to providing free legal aid in this area. The programme has two objectives:

1. To provide access to top-quality free legal aid for poor women who suffer maltreatment in their domestic relationships;

2. To enhance the interdisciplinary training of the lawyers working in this area.

The programme's content is based on three modules: juridical, psychological and sociological.

Twenty of the colleges have so far signed agreements on the implementation of the programme, and eight of them have completed the training: San Isidro and Pergamino (both in Buenos Aires province), General Roca and Viedma (Río Negro), Santa Fé, San Luis, Formosa, and Buenos Aires City. The CNM is monitoring the provision of free legal aid initiated in these localities by the lawyers who have completed the training. These activities will be continued next year. (Copies of the agreement with FACA and details of the postgraduate course are annexed to this report.)

National Programme on awareness-raising and training for the prevention of violence against women

Training and assistance are furnished to specialized services already in operation which wish to build up their own resources and/or policies for cross-cutting intervention by provincial and local women's offices, other governmental agencies, the security services, and NGOs.

One of this Programme's priorities is to encourage the formation of networks of agencies of provincial and local government and civil society to provide assistance to women victims of violence. A number of modules have been prepared: they address various aspects of the problem and are tailored to the social realities in each case.

Training and technical assistance workshops were held for this purpose in the provinces of Santa Cruz, Jujuy, La Pampa and La Rioja for governmental and non-governmental services. With CNM support the AMPs will replicate these workshops in their own jurisdictions. The participants and/or services are provided with specific materials on this subject and on the applicable international, national and/or provincial regulations. Training was given to a total of 230 persons working or specializing in this area in various governmental agencies.

Information and monitoring system on domestic violence against women

The aims of this system are to help to build up a picture of the problem of domestic violence against women and to furnish materials and knowledge to the makers of public policy.

The lack of reliable data on the magnitude and characteristics of this type of violence at the national level makes it difficult to design suitable public policies for dealing with it.

This was the reason for the creation of the Domestic Violence Register and its computer programme. The CNM intends to use the Register to produce comparable reliable and systematic data on the institutional demand and on cases of domestic violence against women dealt with by the national services specializing in this area. The Register will enable each institution using it to analyse the situation of its target population, as well as enabling the CNM to produce a national analysis highlighting the geographic, regional, ethnic and cultural features of the heterogeneous group constituted by the victims.

Four workshops were held in 2000 and 2001 to provide training in the use of the Register, in which 60 specialized governmental and non-governmental services participated, together with two workshops to evaluate the use of the Register, the experience of its use, and the difficulties and achievements. The CNM furnishes constant technical assistance to the services to help resolve their doubts and problems either face-to-face or by electronic mail. A start is now being made on entering the information provided by each service in the central CNM database for processing. An attempt has been made to incorporate services from different geographical areas in order to establish the directions in which violence against women is moving and its characteristics, as well as a socio-economic profile and history of the victims at the local, provincial and/or regional levels. The CNM sends out to the services concerned a periodic bulletin of information and data which will enhance their operations.

National Healthy Prisons Programme

This Programme was initiated in June 2000 in the Federal Prisons Service of the Secretariat for Criminal Policy and Prison Affairs of the Ministry of Justice and Human Rights. The Ministry of Health, the Pan-American Health Organization, the Secretariat for Prevention of Drug Addiction and Trafficking, the AIDS-Prevention Programme (LUSIDA) and the CNM are also taking part in the Programme.

The programme has a training component for male and female professionals and prison warders of the Federal Prisons Service and for women prisoners. The thematic areas for which the CNM is responsible are gender and discrimination, violence, reproductive health, and prevention of breast cancer. This last area is covered by CELAM, an NGO widely established in Argentina, which provides the relevant services under an agreement with the CNM.

The Ombudsmen's Network

Awareness sessions on the problems of gender and violence are held in conjunction with the CNM and arrangements are being made between the CNM and the Network for prevention and technical assistance activities.

Inter-institutional cooperation agreements have been signed between the CNM and the ombudsmen of the cities of Neuquén, Buenos Aires and Villa María (Córdoba), and Avellaneda, Florencio Varela, Pilar, Quilmes, La Plata and Vicente López (all in Buenos Aires province), and with the ombudsmen of the provinces of Córdoba, Formosa, Río Negro, San Luis, Santa Fé and Tucumán, with a view to joint action to facilitate the exchange of information and technical and bibliographical documents, to institutional cooperation in national and international forums, and to mutual assistance during campaigns.

The ombudsmen's offices are also being encouraged to take part in PFM activities in order for them to acquire a gender perspective and for the CNM to devise a mechanism to enable the offices to evaluate and monitor the effectiveness of respect for women's rights and to follow-up on the public policies designed to consolidate these rights.

Inter-institutional network of care centres for victims of violence

This network, which consists of the care centres of the Federal Police and the National Council for Children and the Family, a number of hospitals in Buenos Aires city and province, the CNM and specialized NGOs, is designed to strengthen the intervention strategies of the services dealing directly with this problem. The network fixes objectives and methods for the joint work conducted by the institutions. It was initiated in 1999.

Communication strategy

In order to highlight this problem the CNM set as its priority measures designed to involve the professionals of the mass communication media and enhance their awareness of and train them in the gender perspective. The following specific measures were taken in this area:

- Contacts with press and radio by means of news items publicizing and/or announcing training and other activities conducted by the CNM in various parts of the country in connection with the violence-prevention programmes;
- Personal interviews with newspaper and radio journalists during which constant efforts are made to put across a clear message dealing directly with the problem of violence against women;
- An encounter with representatives of the press. Invitations were sent to a small number of specialized journalists and others having some degree of interest in and/or commitment to the topic who, aside from individual issues, can make a contribution based on their own experience to consolidate the future joint work. The presentation was very well received by the journalists present, who responded promptly and in detail to the CNM proposal.

Sponsorship of the stage piece "The Vagina Monologues": the contribution which this performance makes to the communication strategy in dealing with the various topics, and in particular the topic of violence, is very beneficial to the work of the CNM. Several proposals for joint activities have been prepared, including:

- The inclusion of the CNM logo in all the graphic tools and in press items, together with an identificatory phrase to be determined by the CNM in the theatre programme;
- The organization of a joint programme of talks on subjects associated with "The Vagina Monologues" in conjunction with speakers and experts from the CNM and civil organizations working in this area;
- Guidance on the know-how for managing the philanthropic backing for the commercial staging of the piece;
- The touring of the piece by actresses outside Buenos Aires City and in alternative venues such as prisons, hospitals and community centres;

- CNM support for co-management with other governmental agencies (Education, Culture, Health) of artistic sessions, using the stage work and the issue of non-violent treatment of women as creative triggers, followed by the publication of a book or pamphlet on the outcome of this exercise.

International Day of Non-Violence: 25 November 2000

The capital Buenos Aires was linked by teleconference with reception points throughout the country in support of publicity and promotion activities in connection with the measures being taken by governmental and non-governmental bodies. This exercise was conducted from a federal standpoint: the advocates of the activities carried out by the various institutions located in different parts of the country were able to discuss this work among themselves.

This exercise was very well received by the participants: officials of local and provincial women's offices; members of local, provincial and national legislatures; members of local and provincial executive authorities; and members of NGOs.

A poster on maltreatment issues was displayed on street hoardings in Buenos Aires City, in districts of Greater Buenos Aires, and in provincial capitals. This exercise was backed up by the distribution of 10,000 posters and flyers and 40,000 postcards.

Books Fair

The Buenos Aires Books Fair is a social and cultural event which attracts, year after year, millions of people from all parts of Argentina and other Latin American countries (an estimated three million visitors). It enjoys the active participation of Argentinean writers and writers from elsewhere in Latin American and from European countries; it has been run for the past 24 years by the Writers Association of Argentina under the sponsorship of the national Secretariat for Culture. In view of the Books Fair's importance the CNM, representing the whole Executive Office of the Cabinet of Ministers, ran an official stand advertising its activities through the distribution of printed materials on the various topics with which it is concerned, in particular the National Plan for the Reduction of Maternal and Infant Mortality, the PFM, the National Plan for the Prevention of Violence against Women, the Convention on the Elimination of All Forms of Discrimination against Women, and the Convention of Belem do Para.

25 November 2001: Let's say No to violence against women

The CNM organized a series of activities in the Paseo La Plaza, a renowned cultural and artistic centre in Buenos Aires, under the sponsorship of IDB, CINU, the "Vagina Monologues" philanthropic fund, PAHO/WHO and UNICEF: men and women were invited to express their firmest rejection of all forms of violence (physical, sexual or mental) inflicted on one half of the human race. The activities included:

- Short and full-length films on the subject;
- Presentation of testimony and excerpts from stage works on questions of violence of various kinds, with the participation of well known actresses; closing performance by the Kennedy Choir;

- Conference on "Human rights and world peace" attended by: Estela Carlotto, President of the Association of Plaza de Mayo Grandmothers; Adolfo Pérez Estivel, President of the Peace and Justice Service (SERPAJ); Anibal Ibarra, Head of Government of Buenos Aires City; Diana Conti, Under-Secretary for Human Rights of the Ministry of Justice; and Carmen Storani, President of the CNM;

- Retrospective exhibition of posters and other graphic materials on the subject which have been produced over the past decade by various governmental and non-governmental bodies;

- Stands run by governmental and non-governmental organizations concerned with human rights and the prevention of violence against women.

The governmental bodies included the "violence office" of the Directorate-General for Women of the Government of Buenos Aires City, the National Council for Children and the Family, the CNM, the offices of the violence services of the municipalities of Avellaneda, Morón, San Isidro, San Fernando, Tigre, Vicente López and Villa Gesell and of Buenos Aires province (all densely populated places), as well as the Institute for Women of Chaco province and the Women's and Youth Office of the city of San Salvador de Jujuy.

The non-governmental bodies included the Alicia Moreau de Justo Association, the Argentine Guides Civil Association, the Permanent Association for Human Rights, Fortalecer, the Social and Political Institute for Women, Las Lilas, Working Women, SERPAJ, La Estampa Workshop, Time to Grow, and the women's office of the National Civil Staff Union.

United Nations agency: UNICEF.

Las Lilas: Women for Peace. Participatory activities organized by women's NGOs.

Counselling, referral and monitoring service

The increasing demand from the public for individual assistance with various social problems generated a need for a counselling, referral and monitoring service providing direct assistance at the grass-roots level. The CNM set up such a service in 2000 and created the corresponding technical team. The first task was to gather the information needed for the construction of a database on the services to which women could be referred for assistance. A telephone advice line was established at the same time.

Systematic training was introduced for the personnel in order to enable them to provide an efficient service, and a team of professionals was created to specialize in problems of violence and gender. Technical and psychological support was also provided for the members of the team in order to enhance their performance.

A total of 1,300 interviews had been conducted by August 2001. The Federal Capital accounted for 53 per cent of this total, Buenos Aires province for 44 per cent, and the other provinces for three per cent.

An analysis of the figures by sex showed that 85 per cent of the applicants were female and four per cent male; the other 11 per cent of cases concerned institutions. The percentage breakdown by reason for application was as follows:

	Percentage
Legal	45.58
Violence	22.05
Sexual abuse	0.04
Sexual harassment	0.13
Employment	18.40
Health	0.50
Benefits	0.80
Housing	0.30
Information	11.90
Training	0.30

The legal category includes interviews concerning maintenance (alimony), divorce and family violence. The service may be accessed by telephone (free calls for applicants), electronic mail, in person, by means of CNM materials, and by radio and other broadcast media.

TYPE OF INTERVIEW	
Legal	237
Legal (violence)	91
Violence	67
Health	38
Employment	91
Information	47
Housing/shelter	30
Benefits	37
Others	60
LOCATION	
Federal capital	352
Buenos Aires province	271
Other provinces	45
INTERVIEWS CLASSIFED BY AGE	
Number of interviews by age group	
Under 20	26
21 to 35	220
36 to 50	217
51 to 60	73
66 and older	11

Sexual harassment

1. Legislation

Several bills on the punishment of sexual harassment have been submitted to the National Congress. Some of them include amendments to the legislation on labour contracts and establish a system of sanctions in labour matters, including sanctions relating to activities conducted in private. Some of the bills, in contrast, propose the inclusion of sexual harassment in amendments to the Criminal Code, extending the legislation's scope to other types of relations away from the sphere of employment. There are currently three bills before the Congress: 502-D-2000 (Stolbizer) on "Regulation of sexual harassment in employment relations"; 574-D-2000 (Caamaño Graciela) on "Incorporation in the Criminal Code of an article 127 ter on sexual harassment"; and 7094-D-2000 (Zuccardi) on "Creation of a specialized interdisciplinary agency on discrimination in employment and sexual harassment within the jurisdiction of the Ministry of Labour, Employment and Human Resources Training".

A bill on violence at work drafted under the "Women's Programme" of the Senate judiciary group in conjunction with the Secretariat for Equality of Opportunities of the National Civil Staff Union was tabled in the Senate in 2001. It includes provisions on sexual harassment.

In September 2001 the Legislature of Buenos Aires province adopted its Sexual Harassment Act (No. 12.764), applicable to the province's civil servants and other employees, which provides for the sanction of any person who, taking advantage of his superior post or of circumstances connected with his duties, commits acts involving any kind of sexual approach undesired by the person to whom it is made or who requires sexual favours or any other verbal or physical conduct of a sexual nature. The penalty may be a warning or suspension from duty for up to 60 consecutive days, except when by reason of its scale or seriousness the offence falls within the scope of the provisions on dismissal or classification as a grave offence, according to the disciplinary code in question.

Santa Fé province has its Act No. 11.948 of November 2001, which amends the province's Code of Misdemeanours by incorporating a new article 78 bis on sexual harassment; it provides that "anyone who, as a condition for recruitment to employment or in abuse of a more senior position in a labour relationship, sexually harasses another person in an explicit or implicit manner when such conduct is unaccepted by and offensive to the person suffering it, shall be sentenced, provided that the conduct does not constitute a crime, to a fine of 10 days' salary or up to five days' detention, depending on the gravity, circumstances and consequences of the conduct. For the purposes of the present article the labour relationship must be verified by some means of proof". An employee is defined as any person whose appointment originates in an administrative act of the competent authority of the Executive, Legislature or Judiciary or of the central or decentralized administration, autonomous bodies, etc., or of any provincial, municipal or communal entity. The Act establishes a summary procedure for hearings before the corresponding administrative authority.

2. Administrative regulations

The CNM took an active part in the drafting of Decree No. 2385/93. This Decree incorporates the offence of sexual harassment in the Regulations of the Fundamental Juridical Regime of the Civil Service governing the personnel of the central public administration. The second subparagraph of article 28 (e) of the chapter entitled "Duties and prohibitions" states that "coercion of other kinds shall mean inter alia sexual harassment, this being understood as the act of a civil servant who in connection with or in exercise of his functions takes advantage of his more senior position to induce another person to agree to his sexual requirements, regardless of whether this involves a carnal act. Complaints or applications in connection with the offences described above may be lodged in accordance with the current general procedures or, at the plaintiff's choice, submitted to the official responsible for human resources in the jurisdiction in question".

The CNM has been dealing with this kind of administrative complaint during 2000 and 2001, with varying results.

Ordinance No. 47.506, AD 230-57 BM 17/1/94 also incorporates sexual harassment as a punishable misdemeanour in the disciplinary regulations of the Municipality of Buenos Aires City, now the Autonomous City of Buenos Aires.

Article 6

The CNM, in conjunction with the Government Prosecutor's Department, the Secretariat for the Criminal Police and Prison Affairs of the Ministry of Justice and Human Rights, and the National Council for Children and the Family, adopted in September 2000 an integrated plan of action to combat the sexual exploitation of children for profit, which is designed to guarantee children's right to a life free of exploitation and violence and to strengthen the capacity of the State and civil society organizations (OSCs) to safeguard that right.

On 12 December 2000 in Palermo Argentina signed the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

Plan of action to safeguard the rights of sexually exploited children

Background

In 1998-1999 the UNICEF office in Argentina conducted research into the commercial sexual exploitation of children and adolescents in various regions of the country. This research compiled a general picture drawn from the studies carried out in individual provinces which confirmed that children were involved in prostitution.

In May 2000 UNICEF, in conjunction with the CNM, the National Council for Children and the Family, the Secretariat for the Criminal Police and Prison Affairs of the Ministry of Justice and Human Rights, and the Government Prosecutor's Department, organized an initial meeting – a two-day seminar – for the presentation of the findings of the research; the meeting took the initiative of drafting a plan of action to safeguard the rights of sexually exploited children, for it had concluded that such acts constituted an extreme violation of children's rights. This initiative

also seeks to advance the development of specific mechanisms to give effect to the Convention on the Rights of the Child, Act No. 24.632, the Inter-American Convention on the Punishment, Prevention and Eradication of Violence against Women (Act No. 23.079, known as the Convention of Belem do Para), and the Worst Forms of Child Labour Convention (Act No. 25.255).

With a view to implementing integrated measures to combat the various forms of the commercial sexual exploitation of children, these institutions signed a "Letter of commitment to the rights of sexually exploited children and adolescents" (see annex), in which they state their intention to carry out the plan of action and to persuade other institutional and social sectors to support this measure, for in view of the multidimensional nature of the problem no action taken in isolation can succeed.

The aims of the plan of action are to guarantee children's right to a life free of exploitation and violence and to strengthen the capacity of the State and OSCs to safeguard that right.

The general objectives include:

1. To promote and encourage the recognition of the rights of the child by society, and specifically the right not to suffer sexual exploitation.

2. To support children and adolescents by facilitating their access to the relevant information and helping them to recognize risk situations and to be more aware of their rights and of what to do when their rights are violated – from a perspective which listens to their opinions and takes account of their interests.

3. To ensure that the specific institutional practices in this area are consistent with the legislation on the rights of the child.

4. To promote public policies on children which help to eliminate situations in which children are vulnerable by establishing mechanisms for the inclusion of children in grass-roots networks for the prevention of neglect and exploitation.

5. To strengthen the State's capacity to respond to violations of the rights of the child.

6. To establish means of monitoring the application of the legislation designed to guarantee children a life free of violence and exploitation

7. To coordinate activities and exchange information with law-enforcement agencies, the judicial systems of other countries, governmental organizations and OSCs in order to encourage the investigation, prosecution and conviction of perpetrators, with fundamental attention given to the rights of th victims.

8. To promote research into the various aspects of the problem of the sexual exploitation of children.

9. To determine the demand and its effects on the maintenance of the supply, i.e. on the networks engaging in the commercial sexual exploitation of children.

Areas of action

The plan is based on the following areas of action:

1. Awareness and prevention: there is a set of strategies for increasing awareness of the scale and seriousness of the problem and for securing a greater commitment by various social sectors to the delivery of effective responses.

2. Information and training: more specific information and training activities for sectors of society which have or might have a function with respect to detection and prevention and to recovery and rehabilitation.

3. Building up of networks for prevention and for the support and recovery of victims: the proposal is to create or to strengthen resources in order to provide a comprehensive coverage of victims' needs (recovery and rehabilitation) and to consolidate preventive and judicial measures.

4. Support for children and adolescents: the aim is to promote strategies for making the rights of the child accessible and effective by means of measures which enable children to obtain the necessary information for recognizing risk situations and exercising their rights.

5. Legislation and judicial practices: a study will be made of the need for changes to legislation and procedures to ensure the comprehensive protection of the child victims, and an effort will be made to tackle the obstacles – ideological and others – found in judicial practices which obstruct more effective prosecution of the crimes of procuring and trafficking in persons for the purposes of sexual exploitation.

6. Research: the plan envisages measures to improve the recording arrangements, the organization of the data, and the conduct of the necessary empirical and theoretical research for securing more detailed knowledge of the various aspects of the problem.

(See the chart of activities in the annex.)

Article 11

1. Legal and regulatory aspects

Act No. 25.250, adopted in 2000, on reform of labour legislation includes two types of incentive in its title on "Promotion of stable employment":

1. Partial reduction (by one third of the current levels) of the employer's social security contributions, provided that this produces a net increase in the number of staff recruited for indefinite periods.

This partial exemption is increased to one half of the employer's current contributions when a worker recruited to a new post is a man or woman aged 45 or older, a woman head of household of any age, or a young man or woman aged up to 24.

The extension of this exemption to unemployed women aged 45 or older, even when they are not heads of households, was introduced via regulation as a result of joint action by the CNM and the Ministry of Labour.

2. A wages subsidy paid in respect of unemployed men aged 45 or older and women heads of household of any age who are recruited to new posts, when this produces a net increase in the number of workers recruited for indefinite periods in small and medium-sized enterprises. programmes.

Social security

It is important, as part of the background to this issue, to be familiar with Act No. 24.241 of 1993 and its amendments, for they introduced major reforms in Argentina's social security system by creating an integrated system of retirement and other pensions based on two subsystems: State and private.

It is in the latter subsystem, known as capital accumulation, that the negative impact on women is felt most severely.

In this subsystem the amount of a retirement pension is determined by the capital sum accumulated during a member's working life, and life expectancy is the most important variable in the calculation of the pension income; since women are expected to live longer than men, not to mention the wage differentials between men and women, a woman's pension will be lower than a man's; another factor having an adverse impact on women's pension entitlement is that they may retire at 60, five years earlier than men.

The provisions of Decree No. 1306/00 are very important in this connection, for it amends the pensions system established by Act No. 24.241, correcting the system's inequalities in some respects, including the standardization of the actuarial tables for men and women. This will cancel out the negative effects of the capital accumulation subsystem. This Decree has not yet entered into force.

Equal remuneration

Article 172 of the 1974 Employment (Recruitment) Act provides for equal remuneration for work of equal value. This provision is linked to the provisions of articles 17 and 81 of the Act.

Notwithstanding this provision, gender-based wage differentials persist: although the categories are not differentiated by gender, wage differentials operate indirectly.

2. Women's situation in the labour market

The CNM produced a national report on "Women and work" in which it analysed the global behaviour of the labour market, the differentiated means of access available to men and women, the gender-differentiated opportunities, the institutional arrangements, underemployment, unemployment and income levels. This analysis dealt with the whole country in the decade 1990-2000, with particular emphasis on regional differences.

The annex contains statistics on the urban labour market excerpted from this report, which was produced for the strengthening component of the PFM (Buenos Aires, CNM, preliminary version in mimeo, June 2001).

The main features of the situation are described basically by means of quantitative information provided by the National Institute of Statistics and Censuses (INDEC) from the Permanent Household Survey, and by means of

additional information provided by the Secretariat for Economic Planning of the Ministry of the Economy.

Occupational structure of the population

An initial picture of the imbalances in the labour market is provided by observation of the components of the economically active population (EAP).

Economically active population: urban totals for October of each year

	Thousands of persons								
	Total			*Employed*			*Unemployed*		
	Total	*Females*	*Males*	*Total*	*Females*	*Males*	*Total*	*Females*	*Males*
1990	10 618	3 914	6 704	9 937	3 647	6 290	681	267	414
1991	11 005	4 077	6 928	10 310	3 773	6 537	695	304	391
1992	11 411	4 303	7 108	10 585	3 959	6 626	826	344	482
1993	11 722	4 477	7 245	10 659	3 986	6 673	1 063	491	572
1994	11 929	4 545	7 384	10 530	3 907	6 623	1 399	638	761
1995	12 308	4 737	7 571	10 349	3 881	6 468	1 959	856	1 103
1996	12 589	4 848	7 741	10 542	3 953	6 589	2 047	895	1 152
1997	13 081	5 102	7 979	11 352	4 291	7 061	1 729	811	918
1998	13 268	5 234	8 034	11 670	4 540	7 130	1 598	694	904
1999	13 704	5 517	8 187	11 871	4 725	7 146	1 833	792	1 041

	Participation by sex								
	Percentages			*Employed*			*Unemployed*		
	Total	*Females*	*Males*	*Total*	*Females*	*Males*	*Total*	*Females*	*Males*
1990	100	36.9	63.1	100	36.7	63.3	100	39.2	60.8
1991	100	37.0	63.0	100	36.6	63.4	100	43.7	56.3
1992	100	37.7	62.3	100	37.4	62.6	100	41.6	58.4
1993	100	38.2	61.8	100	37.4	62.6	100	46.2	53.8
1994	100	38.1	61.9	100	37.1	62.9	100	45.6	54.4
1995	100	38.5	61.5	100	37.5	62.5	100	43.7	56.3
1996	100	38.5	61.5	100	37.5	62.5	100	43.7	56.3
1997	100	39.0	61.0	100	37.8	62.2	100	46.9	53.1
1998	100	39.4	60.6	100	38.9	61.1	100	43.4	56.6
1999	100	40.3	59.7	100	39.8	60.2	100	43.2	56.8

Source: Based on data of the MERCOSUR Labour Market Watch (Argentine labour statistics) and data of the Ministry of the Economy and the INDEC Permanent Household Survey.

In 1999 Argentina's EAP comprised 13.7 million persons: 60 per cent males and 40 per cent females.

In 1999 Argentina's urban EAP comprised 13.7 million persons: 60 per cent males and 40 per cent females. Of this total, 11.9 million persons had jobs and 1.8 million were actively seeking paid work without finding any.

Evolution and composition of EAP, millions of persons and percentages

	1990	*1993*	*1996*	*1999*
EAP	10 618	11 722	12 589	13 704
Males	6 704	7 245	7 741	8 187
Females	3 914	4 477	4 848	5 517
Employed (%)	93.6	90.9	83.7	86.6
Males	93.8	92.1	85.1	87.3
Females	93.2	89.0	81.5	85.6
Unemployed (%)	6.4	9.1	16.3	13.4
Males	6.2	7.9	14.9	12.7
Females	6.8	11.0	18.5	14.4

Source: Based on data of the MERCOSUR Labour Market Watch (Argentine labour statistics) and data of the Ministry of the Economy and its Public Works and Services Department and of the INDEC Permanent Household Survey.

The number of economically active males rose by 22 per cent over the decade, but women increased their participation in the labour market by 41 per cent. This significant increase in the urban EAP (30 per cent between 1990 and 1999) manifested itself in unequal increases in employment and unemployment. While total employment rose by almost 20 per cent over the decade, total unemployment rose by 170 per cent. Once again, the relative proportion of women was greater in both these increases. The number of employed females rose by 30 per cent (against an increase of 13 per cent for males) and unemployed females by almost 200 per cent (against 150 per cent for males).

This conclusion is borne out by the specific rates estimated by the Permanent Household Survey, in this case for the totality of urban areas.[3]

Thus, the female employment rate rose from 27.4 per cent in 1990 to 33.1 per cent in 1999. In contrast, the employment rate shows a decline for males from 48.5 per cent in 1990 to 46.1 per cent in 1999 and an increase for females from 25.6 per cent in 1990 to 28.2 per cent in 1999.

It can thus be concluded that over recent decades Argentina has undergone profound structural changes as a result of the internationalization of social and economic relations.

Every day sees more women wishing to join the labour market, either by personal choice or through economic pressure.

[3] Roughly 60 per cent of the total population.

But what is the picture of the integration of women in the labour market? In addition to the analysis of the statistical data given above, it must be pointed out that:

- Women are taking on key roles in the process of economic and social development and in the maintenance of their own households;
- Women have higher levels of education and training than men.

Both among adolescents (15 to 17) and among young adults (18 to 24) females have better school attendance records than males.

As of May 1999 the rate of school attendance for the 15-17 age group in the main conurbations was 78.6 for males and 84.6 for females, while for the 18-24 age group it was 41.5 and 48.6 per cent respectively. (Source: SEMPRO.)

However, although women's increased participation in the labour market has been accompanied by an increase in their level of education, as pointed out earlier, this development has not been taking place on equal terms with men, for women encounter a number of disadvantages when they try to enter the market which make it difficult for them to find and keep jobs.

As a result of cultural attitudes which assign male and female roles in society, women who work or who wish to work are faced with the double responsibility of home and job, which causes a number of conflicts in their personal and vocational development.

This situation means that they have to try to reconcile their domestic responsibilities with their jobs, and this has a negative impact on their availability for employment or vocational training.

Furthermore, on the demand side employers display a number of prejudices against working women which obstruct their access to jobs.

These attitudes derive from the supposed impact on labour costs of the biological function of maternity and of family responsibilities.

This disadvantaged situation of women in relation to men is demonstrated by an analysis of the characteristics of the female labour market.

The labour market suffers from extreme horizontal segmentation, i.e. women are concentrated in a smaller segment of jobs which are usually regarded as "women's" in cultural terms and in posts lower on the ladder in each occupation: this means that their jobs are worse paid and less stable.

- Women are most commonly employed as teachers, nurses, secretaries, typists, office workers, sales staff, hairdressers, etc.
- Women are over-represented in service-sector jobs requiring few qualifications, where domestic service predominates, for this sector accounts for 18 per cent of total female employment.
- The labour market also suffers from extreme vertical segmentation. Women are concentrated in posts lower on the ladder in each occupation, with the result that their jobs are worse paid and less stable. This situation is found in the private sector in particular.

– Another feature of the labour market is the wages gap between men and women. The income received by women during their working lives is lower than that received by men. On average, women earn about 30 per cent less than men. This is due to the concentration of women in the low- and middle-income job groups while men are found mainly in the middle and high groups.

It may be said in conclusion that the problems encountered by women in the labour market are connected less and less with formal education; they are due to the sexual segmentation of employment, to a lack of vocational training tailored to the new production models, and to the persistence of cultural attitudes which still regard women's work as an adjunct to men's work.

3. Design of indicators

Within the framework of the PFM and the National Women's Information System (SNIM) the CNM has also devised a system of indicators of the gender gap for purposes of monitoring the situation of women in Argentina; these indicators are also a useful tool for the formulation of corrective policies. They will be used to describe the comparative situation of women and facilitate understanding of the gender disparities. The CNM therefore designed gender indicators to show the true situation of women in relation to men and the relative advantages and disadvantages, except in the thematic areas in which gender indicators are not needed. These gender indicators express the differences as gaps between men and women. The gap concept makes it possible to measure the distance between the average situation of men and the average situation of women.

Where employment is concerned, the indicators are:

– Gap in the economic activity rate

– Gap in the employment rate

– Gap in the unemployment rate

– Gap in the type of occupation by occupational category

– Gap in the type of occupation by job classification

– Gap in the type of occupation by branch of activity

– Gap in the type of occupation by occupational sector

– Gap in the social security cover in waged employment

– Gap in income from work

– Gap in total income

4. Integration of women in the labour market

In recognition of the fact that

– The pattern of social exclusion prevailing over the past decade had an enormous impact on women, for they suffered higher levels of unemployment than men;

– The number of women heads of household who are the family's sole breadwinner is increasing;

– The traditionally assigned cultural stereotypes, models and roles have an influence on the women's labour market and women's access to and retention of jobs;

the CNM has devised a strategy for coordinating with the Ministry of Labour the promotion of the recruitment of women with poor vocational qualifications, preferably women heads of family, in pro-active employment policies.

Emergency Jobs Programme

Measures were taken to incorporate a cross-cutting gender approach in the projects submitted under the Emergency Jobs Programme for grass-roots development. A communication strategy was established at the same time with a view to the publicizing the Programme's scope among the various organizations of civil society (OSCs).

The mechanisms used in pursuing these goals include:

– Publicity work with governmental and non-governmental organizations to communicate to them the Programme's goals and content and the services provided by the CNM in this connection;

– Holding of workshops for NGOs, municipalities and provincial and municipal women's offices (AMPs and AMMs);

– Production of a pamphlet on the Programme to bring it to the attention of the various social actors who execute projects and to inform them about the related CNM services;

– Mass distribution of this pamphlet to OSCs and municipal and provincial governments throughout the country;

– Coordination with recruitment and occupational training managers in the interior of the country and in Buenos Aires City. The aim here was to facilitate the involvement of women's offices in the Programme's provincial units responsible for devising the necessary strategies for ensuring that the Programme is properly established throughout the land, as well as to identify and select priority activities in the jurisdictions in which the Programme is being carried out;

– Coordination with AMPs. The aim was to promote the involvement of the AMPs in the Programme's provincial units as guarantors of equality of employment opportunities between men and women and to encourage the submission of projects with a gender perspective and projects to provide alternative jobs;

– Support for NGOs and municipal agencies with the submission of projects;

– Incentives for the promotion of projects concerning work not normally done by women;

– Projects formulated in the light of local needs which include activities which will help to provide paid jobs for women once the project is completed;

– The activities promoted include:

Environmental services: weeding and tending of parks; design and creation of children's parks; recycling of rubbish; earthworm cultivation; and services connected with the development of tourism;

Restoration of cultural assets: books, teaching materials, establishment of seats and other furniture equipped with learning games for children;

Social support networks for mothers and pregnant women: campaigns on the rights of users of the health services; prevention of diseases such as HIV/AIDS, Chagas's disease and dengue;

- Finally, the CNM formulated the training content of the Programme's module "Development of personal commercial and/or social aptitudes", which is designed to ensure that the beneficiaries acquire additional skills which will improve their potential in the labour market once the project is completed. This content provides important guidance for the submitters of projects, for the module incorporates a detailed gender perspective.

The following are some of the other measures promoted by the CNM:

- Technical assistance and training for organizations submitting projects, with a view to incorporating a cross-cutting gender approach in the projects;
- Guidance to ensure that projects submitted under the Programme are eligible;
- Encouragement of the submission of projects with a gender perspective concerning activities not traditionally carried out by women.

5. Vocational/occupational training for women

In a context characterized by changes in the organization of labour which impose new performance requirements on workers and owing to the rising levels of unemployment which are extending and intensifying poverty and inequality it is important to introduce measures to make people more easily employable and to improve the quality of employment. Vocational training is one of the tools for helping women to find jobs on equal terms.

The FORMUJER Programme

This Programme is concerned with institution-building for the technical and vocational training of women with low incomes; it was initiated in January 2000.

The CNM is a permanent member of the National Advisory Council for the Programme, which is being implemented in the Ministry of Labour, with technical and financial assistance provided by IDB, CINTEFOR and ILO.

The aim is to increase the productivity and job opportunities of low-income women by means of vocational training, with a view to supporting their contribution to development and helping to reduce poverty.

The Programme covers the provinces of Jujuy, Mendoza and Córdoba and the southern and western parts of Greater Buenos Aires. It provides the following services:

(a) Strengthening of the vocational training capacity of technical training institutions through the revision and updating of profiles, curricula, teaching

materials and teaching methods and practices in individual occupations with a view to helping women to find jobs;

(b) Integration of the gender approach in curricula.

Training was given to 600 women and 150 men to qualify them for jobs in various occupations.

6. Protection of women in employment

International protection of maternity: ILO Convention No. 103

Although Argentina has not ratified Convention No. 103, its domestic labour legislation has incorporated the Convention's main provisions.

Reasons for revising this Convention

In March 1997 ILO decided to revise the instruments on the protection of maternity, basing this decision on arguments such as:

(a) Women's increased rate of economic activity;

(b) The tendency for women to remain in the labour market while bringing up their children;

(c) The importance acquired by women's contribution to the family income;

(d) The small number of ratifications and the existence of technical obstacles to further ratifications.

The first discussion of a draft version of a new convention took place in 1999. The second discussion took place at the eighty-eighth session of the International Labour Conference in June 2001 in Geneva.

The proposed revision may prove a reasonable one, but during the discussion of the draft text at the 1999 Conference attention was drawn to a problem connected with its content: the increased flexibility of the proposed provisions, designed solely to increase the number of accessions to the Convention. This tendency was aggravated in the successive reports issued by the International Labour Office.

The draft text submitted by the Office weakened the regulations, with retreats in fundamental areas: the possibility of excluding categories of workers and enterprises from the Convention's scope; reduction of the protection against dismissal and thus weakening of the guarantees of job stability for working mothers; elimination of the obligation that one part of maternity leave must be taken after the birth; assimilation of maternity leave and benefits to leave and benefits in respect of sickness or inability to work.

Activities of the National Women's Council

In view of the increased flexibility of the draft revision of the Convention resulting from the incorporation of changes which might restrict the maternity safeguards the CNM, as the body responsible for the implementation and monitoring of the Convention on the Elimination of All Forms of Discrimination against Women and as coordinator of public policies for women, convened a meeting of social agencies working in this area:

1. Representatives of trade unions: ASIMRA, judiciary workers, public performers, the National Civil Staff Union, tobacco workers, AME, and Women's Department and Women's Institute of the CGT;

2. Representatives of the Executive (members of the National Congress);

3. Experts and researchers specializing in gender issues;

4. NGOs working in this area.

A synthesis was made of the positions of all the sectors represented at the meeting, and the CNM then produced a report, which was submitted to the Ministry of Labour, Employment and Human Resources Training.

The Ministry then produced a final document containing the position of the Government of Argentina on this question, which took into account the CNM recommendations on each of the provisions of the ILO Convention subject to revision.

Main points of this final document

1. Title of the Convention: amend to read "Convention concerning the protection of rights connected with pregnancy, childbirth and early childhood", with the aim of including the rights of adoptive parents.

2. Scope of application of the Convention: change the term "women wage-earners" to "women workers", in order to extend the Convention's scope.

3. Maternity leave: include in the revised text the requirement that the period of leave following childbirth should be not less than six weeks, as had been provided for in Convention No. 103.

Argentine legislation: the Employment (Recruitment) Act provides for a period of leave of 90 days (12 weeks), at least 30 days of which must be taken before the birth and the rest (eight weeks) thereafter.

4. Cash benefits: the amount must cover the whole of the woman's previous earnings or the whole of the earnings taken into account in calculating social security benefits.

It is inappropriate to assimilate maternity benefits to sickness benefits. Argentina is absolutely opposed to the provision of the draft revision to the effect that any member whose economy and social security system are insufficiently developed shall be deemed to be in compliance with the Convention if the amount of the cash benefits is at least equivalent to the amount of the benefits provided in the event of sickness or temporary incapacity to work.

This position is justified by the fact that maternity must be regarded as a social responsibility and not as an event which diminishes the capacity to work.

Argentine legislation: the maternity allowance is regulated by the Family Allowances Act. It is a social security allowance consisting of the payment of a sum equal to the remuneration that the woman worker would have received during the period of leave established by law. In other words, it covers 100 per cent of the woman's remuneration.

5. Protection against dismissal: the exception provided for in the draft revised text should be removed, because it weakens the protection of maternity by allowing dismissal on grounds unconnected with the pregnancy or childbirth, their after-effects or breastfeeding. The ban on dismissal in Convention 103 is absolute.

Argentine legislation: a dismissal is deemed to be due to reasons of maternity or pregnancy, unless proved otherwise, if it occurs within seven and a half months before or after the birth, provided that the worker gives reliable notice of her pregnancy and attaches a medical certificate stating the probable date of the birth.

If the dismissal occurs within these time limits and the employer cannot prove that it is due to some other cause, he is punished by having to pay special compensation equal to one year's remuneration, which is added to the standard penalty for arbitrary dismissal.

This means that dismissal by reason of pregnancy is punished, and that this provision covers pregnancy, maternity leave and return to work, in accordance with the proposed amendment to the Convention.

Argentina's position in the International Labour Organization

With regard to the Government's position, the Executive instructed the Argentine delegation in ILO that the new instrument should not establish standards of protection lower than the ones contained in Convention 103, or the standards of Argentina's national legislation, which are higher than the Convention's standards in several respects, and that it was also desirable to secure a number of improvements such as, for example, the extension of the period of maternity leave to 17 weeks.

Perhaps the most important political development was the formation of a Latin American bloc, led by Argentina and Chile, which acted in a united and coordinated manner throughout the Conference, submitting joint amendments to practically every article, voting as one, making its presence and political position felt in various statements, and leaving its stamp on all the discussions in the maternity committee.

The following are some of the amendments submitted by the Latin American group which were voted down in the committee:

1. Amendment of the Convention's title;

2. Replacement of "women wage-earners" by "women workers";

3. Removal of the possibility of excluding categories of workers or enterprises. The vote was won only in respect of enterprises;

4. Increase of cash benefits to 100 per cent;

5. Guarantee of benefits from public funds and mandatory social security;

6. Pregnancy leave for parents;

7. Award of pregnancy leave to the father if the mother dies or is unable to care for the child before the period of leave expires.

Some of these amendments were not accepted for the text of the Convention but were included in the Recommendation.

The revised Convention was adopted by 304 votes in favour, 22 against (including the Latin American Governments and three worker members and one employer member), with 116 abstentions.

Argentina voted against, for the new Convention limits the rights of working mothers and weakens the protection provided in Convention 103 and in Argentina's national legislation.

The region's position

Argentina took part in meetings of governmental and workers' groups, the MERCOSUR countries and the Group of Latin American and Caribbean Countries (GRULAC), and the Workers' Group in the maternity committee.

The intense lobbying by developed countries (the United States, Canada, the United Kingdom, New Zealand and others) and the lack of a firm position on the part of the European Governments impeded the adoption of many of the Latin American proposals, which were always supported by the Workers' Group and opposed by the Employers' Group.

Reconstitution of the Tripartite Argentine Commission on Equality of Opportunities and Treatment between Men and Women in the Workplace (Act-Agreement No. 37 of 30 November 2000)

The Tripartite Commission resulted from a joint initiative of the CNM and the Ministry of Labour, Employment and Human Resources Training to invite workers and employers to take part in a social dialogue.

The Commission is a forum for interaction and collaboration among sectors in order to facilitate and promote concrete measures to bring about progress in the area of equality of opportunities and treatment between men and women in the workplace.

It comprises the three trade union federations and, from the business sector, the Industrial Union of Argentina, the Argentine Chamber of Commerce, the General Economic Confederation, the General Confederation of Industry, the General Confederation of Production, the General Confederation of Commerce and Services, the Coordination Office for Commercial Business Activities, and the Federation of Chambers of Commerce, together with the Ministry of Labour, Employment and Human Resources Training, the Ministry of Foreign Affairs, International Trade and Religion, and the CNM.

A consultative NGO forum was convened at the same time with a view to keeping the Commission informed about the needs, demands and proposals of the various groups of women workers.

Amongst other proposals the Commission is working on two bills:

- Amendment of the Employment (Recruitment) Act to incorporate maternity leave for fathers and adoptive parents;
- Incorporation of the offence of sexual harassment in this Act.

There is also a draft resolution on the establishment of a national prize for equality between men and women in the workplace with a view to the official recognition of private-sector organizations making a contribution to equality.

Simplified domestic service regime

In conjunction with the Ministry the CNM drafted and introduced this regime, which was envisaged in title XVIII of the Tax Reform Act (No. 25.239) and provides for medical cover, retirement pensions and disability benefits for domestic workers.

At the end of 2000 the domestic service sector was identified by the highest levels of the National Cabinet as one of the informal sectors of the economy which warranted a special effort by the State to bring the status of the sector's workers within the scope of the law.

A working group, coordinated by the CNM, was set up to promote measures to obtain the desired result of incorporating a population of some 800,000 workers in the formal system. The working group is comprised of:

- CNM: coordination, team of specialists, and communications;
- Ministry of Labour: chief adviser and his communications team;
- Ministry of Labour: Secretariat for Social Security;
- Ministry of Labour: National Social Security Administration;
- Ministry of the Economy: Federal Public Revenue Administration;
- Ministry of Health: Health Services Inspectorate.

Although one of the central aims of the Government's strategy was to increase tax revenues, the CNM succeeded in establishing the fundamental concept of preventing the discrimination suffered by domestic workers in respect of their basic right of access to a social security system and in basing the communication strategy on the social concept of gender solidarity, seeking to reverse the employer/worker relationship usually found in this type of employment.

The CNM also wanted to bring in other social agencies to support the campaign. It therefore convened a discussion group under the Tripartite Commission led by the Ministry of Labour and the CNM itself. It also proposed joint activities with the leaderships of the social security agencies eligible for selection by the sector's workforce.

The working group discussed and agreed on the necessary regulations for correcting a number of ambiguities and gaps in the existing legislation, and on 8 March 2001, International Women's Day, Decree No. 291/01 established that the CNM and the Ministry should carry out a publicity campaign on the scope of the new regime.

The CNM carried out publicity measures aimed at the members of the national and provincial legislatures, including visits to a special meeting in the Labour Affairs Committee of the Chamber of Deputies attended by all the members of the Committee. (See annex 4.)

The CNM took part in the international seminar on "Social dialogue, tripartism and equality of opportunities in MERCOSUR" held in December 2000 in Santiago, Chile, under the auspices of Chile's Ministry of Labour and National Women's Service (SERNAM), the social dialogue programme of the ILO International Centre in Turin, and the ILO regional office for the Americas.

Workshop seminar on "Gender, poverty and employment" organized by ILO and the CNM

In response to the global priorities set at the World Summit for Social Development (Copenhagen, 1995) and the Fourth World Conference on Women (Beijing, 1995) ILO produced a programme on institution building for gender equality, jobs promotion and poverty eradication.

This is a training programme designed to enhance the capacity of national and regional institutions to understand the interrelationship between gender, poverty and employment and to develop, implement and evaluate policies and programmes which help to reduce poverty and unemployment by incorporating the gender dimension in their content.

The programme deals in eight thematic modules with strategies, past experience and guidance for action in key policy areas. It consists of a guide for facilitators and a guide for readers. The following topics are covered by the modules:

Module 1: Trends, problems and approaches in a general picture: gender patterns of employment and poverty;

Module 2: Capacity to organize and negotiate. Power to make changes;

Module 3: Access to production resources;

Module 4: Financial resources for the poor: loans;

Module 5: Education and vocational training;

Module 6: Access to decent jobs;

Module 7: Extension of social protection;

Module 8: The social funds.

In accordance with the ILO strategies for the region, the CNM adopted a framework agreement on cooperation with a view to the planning, direction and coordination of the activities to be carried out under the ILO programme. The aims of this agreement include:

(a) To strengthen the capacities of a broad range of social agencies and institutions to formulate and execute policies and programmes to create jobs, eradicate poverty and achieve gender equality;

(b) To promote effective action at the national level.

The first measure carried out under this agreement was the holding of a workshop seminar on the presentation, dissemination and transfer of methodologies, tools and experience of the ILO programme to governmental and non-governmental organizations responsible for formulating and implementing public employment and vocational training policies with a gender perspective. The workshop seminar was held in Buenos Aires on 26-28 September 2001. Its aim was to:

- Present and disseminate the programme at the national level to governmental and non-governmental organizations;
- Increase the critical mass of organizations formulating and implementing projects with a view to managing more efficiently their efforts to provide

guidance for suitable public policies to fight poverty and to secure gender equality and justice;

– Formulate a plan of action for 2002.

The workshop seminar was designed for:

(a) Officials of provincial and local women's offices;

(b) Coordinators of the national Government's social, employment and vocational training projects which have a direct or indirect influence on women's job opportunities;

(c) CNM technical personnel;

(d) Representatives of the FORMUJER vocational training institutions.

The workshop seminar was attended by:

Twenty-five officials of provincial and local women's offices;

Twelve members of the technical teams of the national Government's programmes and projects connected with affirmative employment and vocational training policies;

Six CNM professionals;

Five professionals of the FORMUJER vocational training institutions.

The working method consisted of:

1. Presentation of the information and training modules on gender, poverty and employment;

2. Work in groups;

3. Work in plenary.

The participants in the workshop seminar agreed at its conclusion to carry out the following plan of action for 2002, which was approved by ILO.

1. To replicate/transfer the knowledge acquired at the workshop seminar in their own institutions using the most appropriate existing team.

2. To hold awareness/dissemination workshops for officials and technical personnel:

– First political level (of the legislative and executive authorities);

– Employment and vocational training managers (of the Ministry of Labour, Employment and Human Resources Training);

– Chambers of commerce, trade unions;

– Thematic units of the "Network of Merco Cities";

– Communication media;

– Schools and universities;

– Various intersectoral bodies in each region or province (production brokers, for example).

ILO and the CNM have committed their support (handbooks and other materials in electronic form for the presentation of the programme).

3. To promote suitable training:

- Training workshops for personnel executing employment and/or poverty programmes (for example, provincial labour and social development ministries or secretariats);
- Training workshops for officials (for example, from the Management and Participation Centre of the Autonomous City of Buenos Aires;
- Training workshops for vocational training institutions and NGOs connected with the FORMUJER Programme, and for officials of local women's offices with a view to replication in their own areas;
- Training workshops for the women's offices of the "Network of Merco Cities".

4. To encourage the training of trainers:

- Training workshop for trainers at the regional and provincial levels in order to create a capacity to hold workshops similar to the one conducted at this seminar.

ILO was requested to provide trainers and support materials.

5. To formulate and implement a strategy of alliances with other sectors, (public, private, NGOs, etc.) in order to boost the efforts and resources for the execution of the programme and to optimize the results:

- It is proposed that a provincial tripartite commission, similar to the national one, should be established to promote equality of opportunities in employment and to support the promotion of the programme;
- It was decided that the new knowledge acquired at this training workshop should be consolidated and built on by means of measures for the analysis of employment programmes in conjunction with the heads of provincial employment offices and for the incorporation in equal-opportunity schemes of the inputs and knowledge of the ILO programme on gender, poverty and employment.

6. To have the provincial women's offices prepare a work programme by 30 November, to be circulated initially among the participants in the workshop and then submitted to the CNM.

The CNM is to nominate a member of its staff to provide technical support and a linkage to the Ministry of Labour and ILO. At the time of drafting this report the CNM is receiving details of the work programmes to be carried out in each province in 2002.

ECLAC/GTZ research in the series "Women and development: gender equity and quality in employment. Argentina's health sector workers"

In May 2000, following the signature of an agreement between ECLAC and the CNM under the ECLAC/GTZ project on incorporation of the gender perspective in ECLAC and the sectoral ministries, research work was carried out with the central aim of strengthening the process of institutionalizing the gender approach in

order to encourage the formulation and introduction of policies, strategies and tools for the promotion of equity between men and women in the spheres of economic and labour policy.

The specific subject of this research was employment in the health sector from a gender perspective, in connection with the specific process of the transformation of Argentine society in the 1990s. (An executive summary of this research is contained in the annex corresponding to article 11.)

Article 12

The following public policies have been devised in compliance with the Convention, and in particular with recommendation No. 24 (twentieth session) on article 12 concerning women and health:

1. National Plan for the Reduction of Maternal and Infant Mortality

This National Plan, which is of singular importance for the social situation of women and has a powerful impact on the lives of women and their children, was launched by the President in July 2000. It was devised by the Ministry of Health with the collaboration of the CNM, the Ministry of Social Development and the Environment and the Ministry of Education and Culture.

The general aim is to reduce maternal deaths (from complications arising during pregnancy, delivery and the puerperal period) and deaths among infants aged under 12 months. The specific aims include the prevention of unwanted pregnancies by means of programmes on responsible parenthood, sex education, and prevention of sexual violence, the improvement of the accessibility and quality of primary health care services, the enhancement of women's awareness of their rights and the strengthening of their demand capacity, the guarantee of access to basic educational skills for women of childbearing age, the incorporation in the social programmes of a component on social support for mothers and pregnant women, the encouragement of breastfeeding, and the supply of suitable foods and nutrients to pregnant women and to children.

The Plan covers the whole country and was submitted to the Federal Health Council (COFESA)[4] in mid-2000, where it was discussed and approved. In less than a year since then 14 provinces are now elaborating their own plans for the reduction of maternal and infant mortality, and the CNM is advising them in this exercise.

The Plan envisages two main lines of action to achieve these objectives:

1. The transformation of the health services by having them concentrate on the promotion of health and the prevention of illness, without neglecting treatment and rehabilitation, with emphasis on primary care and with priority given to the following objectives:

- To improve the coverage and the quality of the primary services and the maternity and paediatric referral services in order to deliver people-friendly,

[4] COFESA is the agency for health policy analysis, discussion and consensus-building and comprises the national Government and the 24 provincial jurisdictions.

risk-free, dignified and respectful care which has the capacity to satisfy people's needs, demands and expectations;

- To reorganize the training of health personnel, with emphasis on continual in-service training;
- To strengthen the administration through support for local programming, management, leadership, motivation, supervision and evaluation;
- To promote epidemiological research and the auditing of maternal and infant mortality;
- To promote the integrated care of women's health, including activities in the area of responsible parenthood.

2. The use of the communication media to improve people's awareness of their rights, their possession of the necessary basic information, and their control of the social and health services which they receive or demand.

The Plan is based on four central strategies:

Intersectoral coordination of programmes and measures

The Plan proposes that the programmes and measures currently carried out by the various social ministries (Health, Education, Social Development) and the CNM should be coordinated. Although the health sector has the primary responsibility for carrying out measures to reduce maternal and infant deaths, the international experience shows that the activities of other sectors are essential means of supplementing and consolidating the work of the health sector: communication and social mobilization, education and social development measures, promotion of rights, etc.

Training of the personnel involved in the programmes of intervention

The people's access to the health services and their satisfaction with the care received will depend to a large extent on the changes in the activities and working methods of the providers of health and other social services. This will require fresh training from the perspective of rights, professional competence to solve problems, improvement of the quality of the care, and monitoring and appraisal of the impact of the measures taken.

Promotion of the rights of individuals and of society

The likelihood of people developing habits of self-care and early reaction to warning signals and of asserting their health rights depends basically on their awareness of these rights and on the development of their individual and collective capacity to demand their exercise. This will require an effort to promote health rights.

Communication to enhance people's commitment and control

Any strategy to reduce maternal and infant mortality must be based on solid and sustained commitment and control by the people, for this can change cultural stereotypes and social rules harmful to the health of women and children and can help to invest their health with greater dignity in Argentine culture.

In order to achieve its two central objectives the Plan proposes the following set of specific objectives:

Reduction of maternal mortality:

- To prevent unwanted pregnancies by means of programmes on responsible parenthood, sex education, and prevention of sexual violence;
- To make women more aware of their rights and enhance their demand capacity;
- To monitor and control maternal mortality.

Reduction of infant mortality:

- To improve the accessibility and the quality of the primary health care services;
- To guarantee access to basic educational skills for women of childbearing age;
- To incorporate in the social programmes a component on social support for mothers and pregnant women;
- To encourage breastfeeding and supply suitable foods and nutrients to pregnant women and to children.

The Plan also envisages measures to achieve what is a strategic objective of any public policy: the monitoring and evaluation of the activities carried out under the Plan.

The CNM has carried out the following measures under the Plan:

Awareness and training sessions on the National Plan

At these sessions, held in a number of provinces, the CNM presented the Plan's objectives and encouraged local government and civil society bodies to become involved.

Training workshops on reproductive health and gender

Five of these workshops were held, with special emphasis on the quality of care, in the provinces involved in the first stage of the CNM's Federal Programme for Women (PFM). They were organized by the provincial women's offices (AMPs) in collaboration with the mother and child departments of the health ministries or secretariats of the provinces in question. They were attended by the AMP teams, women's NGOs and civil society organizations working with and for women, health area personnel, health teams of the public assistance network, and personnel from the social development offices of each province.

Action strategies and materials for promoting of women's health rights

A campaign was carried out on the rights of the users of the health services based on graphic materials (posters and pamphlets) highlighting the rights accorded to women as such users. The campaign sought to draw attention to the rights to information, friendly treatment, confidentiality, and respect for a woman's body and her wishes. The campaign was run jointly by the CNM and UNICEF.

Information materials were also produced on genital and breast cancer and on the menopause for women in general, with a view to increasing their awareness of these matters and informing them about their rights in respect of the provision of related benefits by the health system. Lastly, and again with UNICEF support, the CNM published a reproductive health guide (Health Guide No. 2, "Women's health"), which is aimed at women and social services personnel working with women and offers basic information on these topics.

Support materials for the National Plan

The CNM has produced graphic materials (pamphlets, booklets) containing information on the reproductive health situation and the Plan's objectives and strategies. It has also prepared technical notes for the personnel of public health, social development and education agencies, women's NGOs and members of legislatures on the subjects of maternal mortality, reproductive health legislation, and the sexual and reproductive rights of adolescents. The purpose of these materials is to provide a diagnosis of the country's situation in these areas, together with subject matter for an informed debate and the promotion of women's rights within the framework of current domestic law.

2. The compulsory medical plan

The compulsory medical plan was revised once again in October 2000; it sets out the benefits which must be paid by all the social security agencies covered by article 1 of Act No. 23.660. It established a new list of benefits available under the plan, including details of all the benefits which the social security agencies must pay to their members, who hold entitlement to all the benefits listed.

Several programmes are covered by this list. The mother and child plan provides 100 per cent cover for integrated care during pregnancy, childbirth and the puerperal period, 100 per cent cover for the medicines required during pregnancy, childbirth and the puerperal period for the mother and 40 per cent for unrelated medicines prescribed on an outpatient basis, and 100 per cent of medicines for the baby during the first year of life. It also covers advice on breastfeeding, child care and responsible parenthood. The programme on prevention of cervical cancer covers 100 per cent of the cost of smear tests for all women aged over 25 at intervals determined by the test results, together with additional tests (colposcopy and biopsy), again depending on the smear-test results. The programme on prevention of breast cancer provides for an annual mammogram from age 40. The list of benefits available under the compulsory medical plan includes, with 100 per cent cover: ligature of the Fallopian tube; therapeutic curettage (together with other procedures connected with interrupted pregnancy); insertion of intra-uterine devices; and amniocentesis and genetic testing, including consultations.

3. Reproductive health legislation

Attention should also be drawn where legislation is concerned to the move to enact a national responsible parenthood programme,[5] and to the adoption of provincial laws and municipal ordinances on this subject by several jurisdictions over the past five years. At present 14 provinces and Buenos Aires City have laws or

[5] A bill on reproductive health and responsible parenthood has been approved by the Chamber of Deputies; the Senate will take it up shortly.

programmes recognizing the right of women and men to regulate the number of their children and they are providing reproductive health services as an essential responsibility of the State towards its citizens (see annex 1). A number of municipalities also have similar legislation or programmes. The level of implementation of each of these initiatives is very uneven and depends on the political will of the executive authority in question; in many cases no specific budgetary provision has been made for carrying out the programmes (allocation of human resources to the services, procurement of means of contraception, etc.).

The CNM has produced materials to inform the debate on such legislation at the provincial and municipal levels and has offered technical assistance to the legislatures with the design of draft legislation on reproductive health.

4. Promotion of rights and access to services

Services guides have been produced in order to facilitate the effective exercise of health rights and publicize the services which the State offers to the people: (a) on the responsible parenthood programme (Buenos Aires City) and (b) on self-help programmes and services for women suffering from breast cancer. The guides are available on the CNM Web site, and the CNM also operates a telephone help line.

Agreements on collaboration in this area have been signed with the ombudsmen of 21 jurisdictions, and awareness-raising sessions have been held in several jurisdictions as a means of promoting women's health rights and helping to publicise and facilitate the use of the legal tools now available for the defence of the rights established in Argentina's legislation.

5. Production of information

Support has been given to a number of pieces of research designed to deliver updated information about the health situation of Argentina's women: (a) monitoring of the application of the provincial legislation on reproductive health (in collaboration with the World Bank); (b) reproductive health situation in rural areas; and (c) report on the health situation of women in Argentina (reproductive health, violence and health, mental health, and general morbidity).

6. Consensus-building

Two national seminars were held in order to encourage an informed and multidisciplinary debate as a means of improving the formulation and execution of intersectoral public policies: (a) national seminar on "Maternal mortality: problems of public health and human rights" (in collaboration with the Ministry of Social Development and the Environment, UNICEF and PAHO); and (b) national seminar on "Reproductive health: tools for the design of public policies" (in collaboration with the World Bank). The first seminar was held in Buenos Aires and was attended by about 250 persons from all over the country, including representatives of bodies concerned with health, women, social development and education, women's NGOs, and social organizations working with and for women. The second seminar was held in the city of Posadas in collaboration with the National University of Santiago del Estero; it was attended by about 150 persons from all parts of the country, and the attendance profile was similar to that of the first seminar. The presentations made at the two seminars will come out shortly as separate publications.

7. Local initiatives for the implementation of projects and programmes on women's health

The Ministry of Labour introduced a new working policy on reproductive health under the Emergency Jobs Programme, focusing on the projects of civil society organizations. The CNM offered technical assistance with these projects, as well as monitoring and assessing them. Measures concerned with promotion of rights, training, and grass-roots development were carried out under the projects, with the emphasis on reproductive health.

Article 16

Since the adoption of the Convention Argentina has enacted a large number legal instruments marking a watershed in family law with respect both to their provisions and to their general recommendations (amendment of the Civil Matrimony Act in respect of legal equality between spouses during and following the dissolution of a marriage; establishment of the legal age of matrimony at 16 for females and 18 for males, the possibility for the courts to make special rulings; divorce settlement matters; the choice of residence by common accord; the optional use of the husband's surname; maintenance law; and reform of the rules on parental authority and filiation).

In its previous reports Argentina indicated a concern about the lack of regulations on the right to maintenance which would provide an effective guarantee of its enforcement.

The exercise of this right deriving from the family relationship, especially with respect to maintenance payments for children in the event of separation or divorce, is a very big problem throughout the country owing to the difficulties of enforcing maintenance orders.

Since the adoption in November 1999 of Act No. 269 creating a register of persons in arrears with maintenance payments for Buenos Aires City, eight provincial jurisJictions have adopted similar legislation: Chaco, Córdoba, Chubut, Mendoza, Misiones, San Luis, Tucumán and Santa Fé. Most of these registers will be operated by agencies of the executive and/or judicial authorities in each province.

These acts have common features, and the few variations do not affect the spirit of the regulations. The main features are: fixing of a minimum amount of unpaid maintenance (three consecutive or five non-consecutive payments in a period not exceeding one year in the case of provisional or final amounts of maintenance fixed or approved in an executory judgment); orders made by a court of its own motion or on behalf of an applicant concerning entry in the register of maintenance arrears of the jurisdiction in question; the main implications for persons entered in the register; a series of restrictions affecting various administrative procedures operated by public and private bodies (issue of driving licences and credit cards, opening of current accounts, entitlements, concessions, qualification for elective posts or appointment as officials of the Executive or Judiciary, etc.) in the absence of certification by the maintenance arrears registry that the person concerned is not in arrears.

In the National Congress the Senate approved in November 2001 a bill on the creation of a national register of arrears of maintenance payments, which has been passed to the Chamber of Deputies for adoption.

As mentioned earlier under article 5, a national and 20 provincial domestic violence acts have been adopted. Only three provinces have still to adopt their respective acts.